THE UNIVERSITY
OF ILLINOIS
LIBRARY

328.712
C162
1879

DEBATES

—OF—

THE SENATE

—OF THE—

DOMINION OF CANADA,

1879.

REPORTED, EDITED AND PUBLISHED

—BY—

A. & GEO. C. HOLLAND,

OTTAWA.

FIRST SESSION—FOURTH PARLIAMENT.

OTTAWA:
PRINTED BY C. W. MITCHELL, ELGIN STREET.

1879.

328.712
C162
1879

TABLE OF CONTENTS.

THE SENATE DEBATES

1879.

Thursday, February 13th.

MEETING OF THE PARLIAMENT.

COMMISSION UNDER THE GREAT SEAL, Appointing HON. ROBERT DUNCAN WILMOT, Speaker of the Senate 1

NEW SENATORS sworn in and take their seats 1

THE MEMBERS OF THE COMMONS Attend at the Bar of the Senate, after which they withdraw to elect a Speaker 2

Friday, February 14th.

THE MEMBERS OF THE COMMONS Attend at the Bar of the Senate by command of HIS EXCELLENCY THE GOVERNOR-GENERAL 2

THE SPEECH FROM THE THRONE 2

ACT RELATING TO RAILWAYS—Introduced—Mr. Campbell—and read the first time 4

THE SPEECH—Motion to take into consideration—Mr. Campbell—Agreed to .. 4

PRIVILEGES OF PARLIAMENT—Motion for Committee—Mr. Campbell—Agreed to. 4

Monday, February 17th.

THE SPEECH TAKEN INTO CONSIDERATION 4

Address in reply thereto—Moved by Mr. Cornwall 8

THE ADDRESS—Seconded by Mr. DeBoucherville 10

DEBATE ADJOURNED—Mr. Bellerose 25

Tuesday, February 18th.

USE OF THE SENATE CHAMBER—Motion for Committee—Mr. Campbell—Agreed to 25

DEBATE ON THE ADDRESS CONTINUED—Mr. Bellerose 25

THE ADDRESS ADOPTED 35

572746

DEATH OF THE PRINCESS ALICE—Address of Condolence—Mr. Campbell—Adopted 37

Wednesday, February 19th.

THE ROYAL INSTRUCTIONS—Motion for a return—Mr. Botsford—Motion with drawn—Papers transmitted. 37

DISTRIBUTION OF SESSIONAL PAPERS—Explanations—Mr. Ryan—Mr. Aikins .. 38

Thursday, February 20th.

THE STANDING COMMITTEES—A new Committee formed—Mr. Campbell ... 38

A PROPOSED ADJOURNMENT—Motion—

"That when this House adjourns on Friday next, it do stand adjourned until Tuesday, the fourth of March, at eight o'clock in the Evening".—Mr. Bureau.— 38

Motion defeated 39

Friday, February 21st.

THE PROPOSED ADJOURNMENT—Order of the Day—

"That when this House adjourns on Tuesday next, it do stand adjourned until Tuesday, the fourth of March, at eight o'clock in the evening."—Mr. Penny 30

Allowed to stand 40

Monday, February 24th.

THE ICE PIER AT SOREL—Motion for a return—Mr. Guevremont—Agreed to ... 40

THE STANDING COMMITTEES—Motions to appoint—The Library of Parliament; Banking and Commerce; Railways, Telegraphs, and Harbors; Standing Orders and Private Bills; Contingent Accounts; Printing the Debates—Mr. Campbell .. ..40—41

THE PROPOSED ADJOURNMENT—Motion—Mr. Penny—defeated 41

THE DEATH OF THE PRINCESS ALICE—An Address to His Excellency read ... 41

THE ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH—A message from His Excellency 41

Tuesday, February 25th.

PROTECTION TO AGRICULTURE—Motion—

"To Resolve, that in any re-adjustment of the Tariff, due regard should be had to the interests of our farming population and the development of our vast agricultural resources, an interest in which the future greatness of the Dominion is intimately involved, and in which fully eighty per cent of our entire population is directly interested."—Mr. Reesor 42

Motion withdrawn 42

THE ADJOURNMENT—Motion reconsidered—Mr. Smith—Motion agreed to ... 42

PLEURO-PNEUMONIA—Motion for correspondence—Mr. Christie—Motion agreed to 44

SMALL POX IN CANADA—Inquiry, Mr. Haythorne; Answer, Mr. Aikins ... 44

Monday, March 3rd.

PETITION FOR PRIVATE BILLS—Motion to extend time for receiving—Mr. Aikins —Agreed to 49

BRITISH COLUMBIA PENITENTIARY—Motion for return—Mr. Macdonald—Agreed to 50

WARDEN OF THE BRITISH COLUMBIA PENITENTIARY—Motion for copy of Report —Mr. Macdonald—Agreed to 51

Tuesday, March 4th.

INTERCOLONIAL RAILWAY WORKSHOPS—Inquiry, Mr. Power: Answer, Mr. Campbell 53

REMOVAL OF THE RAILWAY OFFICE FROM VICTORIA—Motion for Correspondence —Mr. Macdonald—Agreed to 53

REMOVAL OF STEEL RAILS FROM VANCOUVER ISLAND TO FRASER RIVER—Motion for Tenders and Correspondence—Mr. Macdonald—Agreed to .. 53

Wednesday, March 5th.

PENITENTIARY BILL (A)—
Read the first time—Mr. Aikins.— 55

ICE DAM AT CROIL'S ISLAND—Inquiry, Mr. Brouse; Answer, Mr. Aikins ... 56

Thursday, March 6th.

SECOND CENSUS BILL (B)—
Read the first time—Mr. Campbell— 56

PUBLISHING THE DEBATES—First Report of Committee on Publishing the Debates adopted—Mr. Macpherson— 56

Friday, March 7th.

POLICE FORCE OF CANADA BILL (C)—
Read the first time—Mr. Campbell— 58

GEORGIAN BAY BRANCH RAILROAD—Motion for return—Mr. Read—After debate agreed to 59

PLEURO-PNEUMONIA—Suggestion—Mr. Christie 65

Monday, March 10th.

PETITION OF MARY ANN SKINNER—Motion to refer to Committee—Mr. Dickson—Agreed to 66

THE FISHERIES AWARD—Proposed Distribution of the Money—Mr. Power .. 66

MONTREAL HARBOR COMMISSION—Inquiry, Mr. Guevremont; Answer, Mr. Campbell 76

PARLIAMENTARY PRINTING—Motion to adopt Second Report of Committee—Mr. Simpson—Agreed to 78

PENITENTIARY ACT AMENDMENT BILL (A)—
Read the second time 79

PLEURO-PNEUMONIA—Mr. Christie's suggestion adopted 80

Tuesday, March 11th.

NEW SENATOR—(Mr. Bull) sworn in, and takes his seat 81

PETITIONS FOR PRIVATE BILLS—Motion to extend time for receiving—Mr. Allan —Agreed to 81

PARLIAMENTARY PRINTING—Motion to adopt Third Report of Committee—Mr. Simpson—Agreed to 81

OTTAWA LOAN AND INVESTMENT COMPANY BILL (D)—
Read the first time—Mr. Aikins 82

PENITENTIARY ACT AMENDMENT BILL (A)—
Reported from Committee—Mr. Dickson 82

Wednesday, March 12th.

CAMPBELL DIVORCE CASE—Petition. 82

After debate, withdrawn 86

PENITENTIARY ACT AMENDMENT BILL (A)—
Read the third time and passed 86

POLICE LAW AMENDMENT BILL (C)—
Read the second time—Mr. Campbell 86

Thursday, March 13th.

CANADIAN BUILT SHIPS IN FRANCE—Motion for return—Mr. Bureau—Allowed to stand 86

DISPOSAL OF THE FISHERIES AWARD—Motion for return—Allowed to stand .. 87

SECOND CENSUS BILL (B)—
Second reading postponed—Mr. Campbell 87

POLICE LAW AMENDMENT BILL (C)—
Reported from Committee—Mr. Montgomery 88

Friday, March 14th.

DISPOSAL OF THE FISHERIES AWARD—Motion for return—Mr. Haythorne—Agreed to 88

BUILDING SOCIETIES IN ONTARIO BILL (E)—
Read the first time—Mr. Allan 88

PLEURO-PNEUMONIA—Inquiry, Mr. Christie ; Answer, Mr. Aikins 88

POLICE LAW AMENDMENT BILL (C)—
Read the third time and passed—Mr. Campbell.. 88

THE PARLIAMENTARY PRINTING—Fourth and fifth reports of Committee adopted —Mr. Simpson 88

OTTAWA LOAN AND INVESTMENT COMPANY'S BILL (D)—
Read the second time—Mr. Aikins 89

Monday, March 17th.

CAMPBELL DIVORCE CASE—Motion to refer petition to Committee—Mr. Christie ..
Agreed to 89

LONDON AND CANADIAN LOAN AND AGENCY COMPANY'S BILL (E)—
Read the first time—Mr. Benson 89

NORTH WEST MOUNTED POLICE BILL (13)—
Read the second time—Mr. Campbell.. 89

CENSUS AND STATISTICS BILL (B)—
Read the second time— Mr. Campbell.. 90

After debate, referred to Committee of the Whole 97

QUEBEC FIRE INSURANCE COMPANY BILL (14)—
Read the first time—Mr. Armand 97

DOMINION TELEGRAPH COMPANY BILL (10)—
Read the first time—Mr. Vidal 97

Tuesday, March 18th.

A PROPOSED ADJOURNMENT—Notice of Motion

"That when this House adjourns on Friday next, it stand adjourned until the Wednesday following."—Mr. Bellerose. 97

QUEBEC FIRE INSURANCE COMPANY BILL (14)—
Read the second time—Mr. Armand—Referred to Committee on Banking and Commerce 97

NORTH WEST MOUNTED POLICE BILL (13)—
In Committee of the Whole—Mr. Campbell— 98

After debate, reported without amendment. 102

Wednesday, March 19th.

NORTH WEST MOUNTED POLICE BILL (14)—
Read the third time and passed—Mr. Campbell 103

BUILDING SOCIETIES (ONTARIO) BILL (E)
Read the second time, and referred to Committee on Banking and Commerce —Mr. Macpherson 103

LONDON AND CANADIAN LOAN AND AGENCY COMPANY BILL (F)—
Read the second time after debate, and referred to Committee on Banking and Commerce—Mr. Benson 103

DOMINION TELEGRAPH COMPANY'S BILL (10)—
Read the second time, and referred to Committee on Railways, Telegraphs and Harbors—Mr. Vidal 105

CENSUS AND STATISTICS BILL (B)—
In Committee of the Whole—Mr. Campbell 105
Debate Adjourned 111

Thursday, March 20th.

BANKS AND BANKING BILL (G)—
Read the first time—Mr. Campbell 111
THE PROPOSED ADJOURNMENT—Motion—Mr. Smith—Agreed to 111
CENSUS AND STATISTICS BILL (B)—
House in Committee of the Whole—Mr. Campbell 111
After debate, Bill reported with amendments 114

Friday, March 21st.

THE CAMPBELL DIVORCE CASE—Motion—

"That the 82nd and 83rd Rules of this House be dispensed with in so far as they relate to the petition of Eliza Maria Campbell, wife of Robert Campbell, of Whitby, in the Province of Ontario; praying 'for leave to proceed' *in forma pauperis* in the matter of her petition for relief, and in the further prosecution of her case before Parliament, and that any rules which may prevent such a mode of procedure may be suspended in her case; as recommended in the seventh Report of the Committee on Standing Orders and Private Bills."—Mr. Reesor.

After debate, Motion carried on a division 120
Petition Presented 120
THE PEMBINA BRANCH RAILWAY—Inquiry, Mr. Sutherland; Answer, Mr. Aikins. 120
IMMIGRATION AND COLONIZATION—Motion for a Committee—Mr. Alexander—Debate adjourned (Hon. Mr. Lelan) 121

Wednesday, March 26th.

DOMINION DAY BILL (H)—
Read the first time—Dr. Carrall 123
DOMINION LANDS IN MANITOBA BILL (I)—
Read the first time—Mr. Campbell 123
CANADIAN BUILT SHIPS IN FRENCH PORTS—Motion for a return—Mr. Bureau—Agreed to 123
EXTRA CLERKS AND MESSENGERS—Motion for return—Mr. Macpherson—After debate, agreed to 124
PETITIONS FOR PRIVATE BILLS—Motion further to extend time for receiving—Mr. Allan—Agreed to. 125
QUEBEC FIRE ASSURANCE COMPANY BILL (14)—
Read the third time and passed—Mr. Trudel 125
DOMINION TELEGRAPH COMPANY BILL (10)—
Read the third time and passed—Mr. Vidal 125
THE PARLIAMENTARY PRINTING—Motion to adopt sixth report of Committee—Mr. Macfarlane—Agreed to 125

BANKING LAWS AMENDMENT BILL (G)—
After debate read the second time—Mr. Campbell 129

CENSUS AND STATISTICS BILL (B)—
Amendments concurred in—Mr. Campbell 129

IMMIGRATION AND COLONIZATION—The Debate continued—Mr. McLelan— ... 129
Debate Adjourned—Mr. Read 144

INTERNATIONAL BRIDGE COMPANY BILL (11)—
Read the first time—Mr. Macpherson.. 144

GEORGIAN BAY BRANCH RAILROAD—Enquiry, Mr. Read: Answer, Mr. Aikins .. 144

Thursday, March 27th.

THE CAMPBELL DIVORCE CASE—After debate—Reading of Petition postponed .. 145

LONDON AND CANADIAN LOAN COMPANY'S BILL (F)—
Reported from Committee with amendments—Mr. Hamilton (Kingston)—Read the third time and passed 147

CENSUS AND STATISTICS BILL (B)—
Motion for third reading—Mr. Campbell 147

Read the third time and passed 148

IMMIGRATION AND COLONIZATION—Debate concluded—Mr. Read 148
Motion withdrawn 160

THE CAMPBELL DIVORCE CASE—An explanation—Mr. Dickey 161

MONTREAL AND CHAMPLAIN JUNCTION RAILWAY COMPANY'S BILL (20)—
Read the first time—Mr. Ferrier 161

WELLAND RAILWAY COMPANY'S LILL (12)—
Read the first time—Mr. Benson 161

Friday, March 28th.

CANADIAN PACIFIC RAILWAY, WEST OF LAKE SUPERIOR—Motion for Committee—
Mr. Macpherson—Agreed to 161

KINGSTON AND PEMBBOKE RAILWAY COMPANY'S BILL (24)—
Read the first time—Mr. Hamilton (Kingston) 162

DOMINION LANDS IN MANITOBA BILL (I)—
Read the second time—Mr. Campbell 162

INTERNATIONAL BRIDGE COMPANY'S BILL (11)—
Motion for second reading—Mr. Ferrier 162

Bill read the second time 163

THE CAMPBELL DIVORCE CASE—Motion—

"Reading the petition of Eliza Maria Campbell, praying for the passing of a Bill similar to that passed by the Senate in 1877, providing for her separation as to bed and board, from her husband Robert Campbell."—Mr. Reesor.

After debate, motion withdrawn 163

MONTREAL AND CHAMPLAIN JUNCTION RAILWAY COMPANY'S BILL (20)—
Read the second time, and referred to Committee—Mr. Ferrier 167

GAZETTE PRINTING COMPANY'S BILL (23)—
Read the first time—Mr. Ferrier 167

Monday, March 31st.

THE HALIFAX MAIL SERVICE—Inquiry, Mr. Power; Answer, Mr. Campbell .. 167

MANITOBA PENITENTIARY—Motion for Return—Mr. Girard—Agreed to .. 170

PUBLIC EXPENDITURE OF THE DOMINION—Inquiry, Mr. Macpherson.. .. 171

Debate Adjourned—Mr. Pelletier 186

Tuesday, April 1st.

OTTAWA LOAN COMPANY'S BILL (D)—
Reported from Committee with amendments—Mr. Hamilton, (Kingston) ... 186

INTERNATIONAL TRADE—Motion for return—Mr. Bureau 186

After debate, motion withdrawn 195

THE PUBLIC SERVICE OF CANADA—Motion for a return—Mr. Power—Agreed to 195

THE CAMPBELL DIVORCE CASE—Motion for the production of the exemplification of Judgment in the matter of a Bill in Chancery: Eliza Maria Campbell, Plaintiff, against Robert Campbell, Defendant—Mr. Reesor — Motion agreed to 195

Motion for an Order of Senate to bring to the Bar of this House James Keith Gordon, to give evidence—Mr. Reesor—Agreed to 196

BANKING LAW AMENDMENT BILL (G)—
House in Committee— 196

Bill reported with an amendment 197

WELLAND RAILWAY COMPANY'S BILL (12)—
Read the second time and referred to Committee—Mr. Benson 197

KINGSTON AND PEMBROKE RAILWAY COMPANY'S BILL (24)—
Read the second time and referred to Committee—Mr. Hamilton, (Kingston)... 197

DOMINION LANDS IN MANITOBA BILL (I)—
House in Committee 198

Bill reported without amendment—Mr. Montgomery 198

GAZETTE PRINTING COMPANY'S BILL (23)—
Motion for second reading—Mr. Ferrier—afer debate, agreed to 198

ONTARIO AND PACIFIC JUNCTION RAILWAY COMPANY'S BILL (27)
Read the first time—Mr. Alexander 199

NAPANEE, TAMWORTH, AND QUEBEC RAILWAY COMPANY'S BILL (40)—
Read the first time—Mr. Seymour 199

Wednesday, April 2nd.

THE CAMPBELL DIVORCE CASE—Motion for a return—Mr. Kaulbach—After debate, withdrawn 199

BANKING LAWS AMENDMENT BILL (G)—
Read the third time and passed—Mr. Campbell 200

DOMINION LANDS IN MANITOBA BILL (I)
Read the third time and passed—Mr. Campbell 200

THE PARLIAMENTARY PRINTING—Motion to adopt eighth report of Committee—Mr. Simpson—Agreed to 200

DOMINION DAY BILL (H)—
Motion for second reading—Dr. Carrall.. 201

Motion to postpone second reading for six months—Mr. Lewin 204

Amendment defeated—Contents, 25; Non-Contents, 36 207

Bill read the second time 207

THE CAMPBELL DIVORCE CASE—Motion to discharge Order of the Day—

"Reading the petition of Eliza Maria Campbell, praying for the passing of a Bill similar to that passed by the Senate in 1875, providing for her separation as to bed and board from her husband, Robert Campbell—Mr. Reesor.

Agreed to... 207

THE PUBLIC EXPENDITURE OF THE DOMINION—Debate continued—Mr. Pelletier. 208

Motion to adjourn debate—Mr. Macpherson—Agreed to 218

Thursday, April 3rd.

THE POST OFFICE DEPARTMENT—Motion for a return—Mr. Scott—Agreed to .. 218

CANADA TEMPERANCE ACT AMENDMENT BILL (J)—
Read the first time—Mr. Girard 219

ROUTE OF THE PACIFIC RAILWAY—Inquiry, Mr. Girard; Answer, Mr. Campbell 219

ONTARIO AND PACIFIC RAILWAY JUNCTION BILL (27)—
Read the second time, and referred to Committee—Mr. Alexander 220

DOMINION DAY BILL (H)—
House in Committee— 220

Bill reported from Committee with amendments.. 220

THE CAMPBELL DIVORCE CASE—Evidence of James Keith Gordon 220

Motion to read and receive petition—Mr. Reesor—Agreed to on a division .. 220

Motion to pay expenses of James Keith Gordon—Mr. Reesor—Allowed to stand 220

THE PUBLIC EXPENDITURE OF THE DOMINION—Debate continued—Mr. Kaulbach 221

Debate adjourned—Mr. McLelan 229

THE DISMISSAL OF THE LIEUTENANT-GOVERNOR OF QUEBEC—Government Announcement—Mr. Campbell 229

Friday, April 4th.

THE CAMPBELL DIVORCE CASE—Motion to dispense with 49th Rule—Mr. Reesor—Agreed to on a division 230

ELIZA MARIA CAMPBELL RELIEF BILL (K)—
Read the first time—Mr. Reesor 230

Motion for second reading—Mr. Reesor—Agreed to on a division 230

WELLAND RAILWAY COMPANY'S BILL (12)—
Reported from Committee without amendment—Mr. Dickey 230

KINGSTON AND PEMBROKE RAILWAY BILL (24)—
Reported from Committee with amendments—Mr. Dickey 231

CONFLICTING CLAIMS TO LANDS IN MANITOBA—Motion for a return—Mr. Girard—Agreed to 231

THE BRITISH COLUMBIA TELEGRAPH—Inquiry, Dr. Carrall; Answer, Mr. Campbell 231

INTERNATIONAL BRIDGE COMPANY'S BILL (11)—
Motion for third reading—Mr. Ferrier 232

Bill read the third time and passed 233

MONTREAL AND CHAMPLAIN JUNCTION RAILWAY COMPANY'S BILL (20)—
Read the third time and passed—Mr. Ferrier 233

OTTAWA LOAN AND INVESTMENT COMPANY'S BILL (D)—
Read the third time and passed—Mr. Vidal 233

THE PUBLIC EXPENDITURE OF THE DOMINION—Debate continued—Mr. McLelan 233

Motion to adjourn debate—Mr. Campbell—Agreed to 245

Monday, April 7th.

MAIL SERVICE TO SOUTH AMERICA—Inquiry, Mr. Ryan; Answer, Mr. Campbell 245

ROUTE OF THE PACIFIC RAILWAY—Inquiry, Mr. Girard; Answer postponed, Mr. Campbell 247

POSTMASTERS AND MAIL CONTRACTS—Motion for a return—Mr. Macfarlane—Agreed to 247

THE CAMPBELL DIVORCE CASE—Motion to pay Expenses of James Keith Gordon—Mr. Reesor 251

Motion postponed 251

SUPERVISION OF PRIVATE LEGISLATION—Motion for Committee—Mr. Bellerose—Agreed to 251

THE DISMISSAL OF THE LIEUTENANT-GOVERNOR OF QUEBEC—Inquiry, Mr. Chapais; Answer, Mr. Campbell 252

GAZETTE PRINTING COMPANY'S BILL (23)—
Read the third time and passed—Mr. Ferrier 252

WELLAND RAILWAY COMPANY'S BILL (12)—
Read the third time and passed—Mr. Benson 252

NAPANEE, TAMWORTH AND QUEBEC RAILWAY COMPANY'S BILL (40)—
Motion for second reading—Mr. Vidal—Agreed to 252

DOMINION DAY BILL (H)—
Motion to concur in amendments made in Committee of the Whole—Mr. Aikins—Agreed to 253
Bill read the third time and passed 253

KINGSTON AND PEMBROKE RAILWAY COMPANY'S BILL (24)—
Motion to concur in amendments made in Committee—Mr. Hamilton, (Kingston)—Agreed to 253
Bill read the third time and passed 253

ISOLATED RISK AND FARMERS' FIRE INSURANCE COMPANY'S BILL (18)—
Read the first time—Mr. McMaster 253

CONFEDERATION LIFE ASSURANCE COMPANY'S AMENDMENT BILL (53)
Read the first time—Mr. McMaster 253

CANADA LIFE ASSURANCE COMPANY'S AMENDMENT BILL (7)—
Read the first time—Mr. Macpherson 253

CONSOLIDATED BANK OF CANADA BILL (52)—
Read the first time—Mr. Ferrier 253

THE PUBLIC EXPENDITURE OF THE DOMINION—Debate concluded—Mr. Macpherson 253

Tuesday, April 8th.

PACIFIC RAILWAY COMMITTEE—First report—Adopted—Mr. Macpherson .. 259

ROUTE OF THE PACIFIC RAILWAY—Inquiry, Mr. Girard; Reply, Mr. Campbell .. 260

EASTER HOLIDAYS—Motion—

"That when this House adjourns to-morrow, it do stand adjourned to Wednesday the 16th inst at 8 p. m."—Mr. Campbell

Motion agreed to 260

CANADA TEMPERANCE ACT AMENDMENT BILL (J)—
Read the second time—Mr. Girard 261

BUILDING SOCIETIES—ONTARIO—BILL (E)—
Motion to adopt amendments—Mr. Allan 261
After debate, agreed to 267
Read the third time and passed 267

CONSOLIDATED BANK BILL (52)—
Read the second time—Mr. Ferrier 267

NORTH AMERICAN INSURANCE COMPANY BILL (41)
Read the first time—Mr. Scott 267

ATLANTIC AND NORTH WEST RAILROAD COMPANY'S BILL (56)—
Read the first time—Mr. DeBoucherville 268

A Question of Privilege—Seconding motions—Mr. DeBoucherville 268

Wednesday, April 9th.

Dismissal of Lieutenant-Governor Letellier—Motion to adjourn—Mr Alexander 268
Motion withdrawn... 269

SOVEREIGN FIRE INSURANCE COMPANY'S BILL (18)—
Second reading—Mr. McMaster 269

CONFEDERATION LIFE ASSOCIATION'S BILL (53)
Second reading—Mr. McMaster 270

CANADA LIFE ASSURANCE COMPANY'S BILL (7)—
Second reading—Mr. Macpherson 270

CANADA TEMPERANCE ACT AMENDMENT BILL (J)—
In Committee—Mr. Montgomery 270

NORTH AMERICAN INSURANCE COMPANY'S BILL (41)—
Second Reading—Mr. Christie 271

Wednesday, April 16th.

ONTARIO AND PACIFIC JUNCTION R.R. BILL (27)—
Third reading—Mr. Alexander 271

CANADA TEMPERANCE ACT AMENDMENT BILL (J)—
Third reading—Mr. Girard 271

NAPANEE, TAMWORTH AND QUEBEC R.R. BILL (40)—
Concurrence in amendments—Mr. Vidal 271

Parliamentary Printing—Seventh Report of Committee adopted—Mr. Simpson.. 271

QUEBEC, MONTREAL, OTTAWA AND OCCIDENTAL RAILWAY BRIDGE BILL (45)—
First reading—Mr. Penny 271

POST OFFICE ACT AMENDMENT BILL (39)—
First reading—Mr. Aikins 271

GEOGRAPHICAL SOCIETY, QUEBEC, BILL (65)—
First reading—Mr. Ryan 271

Thursday, April 17th.

CONSOLIDATED BANK BILL (52)—
Third reading—Mr. Ryan 271

WINTER COMMUNICATION WITH PRINCE EDWARD ISLAND—Motion for a return—Mr. Montgomery 272
After debate, agreed to 276

NAPANEE, TAMWORTH AND QUEBEC RAILWAY BILL (40)—
Third reading (Mr. Vidal) 276

ATLANTIC AND NORTH-WEST RAILWAY BILL (56)—
Second Reading—Mr. DeBoucherville 276

Friday, April 18th.

NEW SENATOR—(Mr. Almon)—Introduced 277

QUEBEC BUILDING SOCIETIES' BILL (L)—
First Reading—Mr. Bellerose 277

THE CAMPBELL DIVORCE CASE—Motion—

"That the Clerk be authorized to pay the witness, James Keith Gordon, for his necessary travelling expenses, properly incurred by his attendance in obedience to the Order of this House."—(Mr. Reesor.) 278

After debate, defeated, contents 29, Non-contents, 29 ... . 2 2

Second reading of the Bill (K)—moved 28

After debate, moved in amendment—

"That the said Bill be referred to the Supreme Court for examination and repor as to the right and power of the Parliament of the Dominion to pass such a Bill, and more particularly as to the power of Parliament to pass the clauses relating to alimony and the custody of children, and that a Special Committee, to be composed of the Honorable Messieurs Campbell, Dickey, Reesor, Flint and the mover, be appointed to draft the order of reference and report the same to this House."—Mr Cornwall. 286

After debate amendment rejected, Contents, 22, Non-Contents, 30 302

After debate, Bill read the second time 305

Motion to refer Bill to Select Committee—Mr. Reesor 305

After debate, agreed to on a division 308

Motion to examine Petitioner—Mr. Reesor—Agreed to 308

POST OFFICE ACT AMENDMENT BILL (39)—
Second reading—Mr. Aikins.. 308

Monday, April 21st.

SUPERVISION OF PRIVATE LEGISLATION—New Rule recommended—Mr. Bellerose 309

THE PACIFIC RAILWAY—

Resolution—

"That this House is of the opinion that in view of the large deficits for several years past it is inexpedient to continue the construction of the Georgian Bay Branch Railway, or make further payments as a subsidy to the Canada Central Railway, until such time as it is found that the revenue meets the expenditure of the country."—Mr. Read. 309

Debate adjourned—Mr. Macpherson 322

Motion for a return—Mr. Power 322

CONTAGIOUS DISEASES (ANIMALS) BILL (55)—

First reading—Mr. Aikins 322

JACQUES CARTIER BANK BILL (50)—

First reading—Mr. Trudel 322

MERCER REFORMATORY BILL (76)—

First reading—Mr. Campbell 322

RECEIVER GENERAL'S AND PUBLIC WORKS OFFICES BILL (66)—

First reading—Mr. Campbell 322

QUEBEC BUILDING SOCIETIES BILL (L)—

Second reading—Mr. Bellerose 322

POST OFFICE ACT AMENDMENT BILL (39)—

In Committee—Mr. Dickey 322

QUEBEC GEOGRAPHICAL SOCIETY'S BILL (69)—

Second Reading—Mr. Ryan 323

Tuesday, April 22nd.

CANADA LIFE ASSURANCE CO'S. BILL (7)—

Third Reading—Mr. Macpherson 323

FORT FRANCES LOCK—Inquiry—Mr. Macpherson—Answer—Mr. Campbell ... 323

POST OFFICE ACT AMENDMENT BILL (39)—

Third reading—Mr. Aikins 323

QUEBEC M. O. & O. R. R. BRIDGE BILL (45)—

Second reading—Mr. Penny 323

THE PACIFIC RAILWAY—Debate on Mr. Read's resolution resumed—Mr. Macpherson 324

Debate adjourned—Mr. Alexander 339

PROMISSORY NOTES AND BILLS OF EXCHANGE BILL (31)—

First reading—Mr. Aikins 339

Wednesday, April 23rd.

ORDNANCE AND ADMIRALTY LANDS BILL (M)—

First reading—Mr. Campbell 340

PUBLIC LANDS BILL (N)—
First reading—Mr. Campbell 340

THE CAMPBELL DIVORCE BILL (K)—
Reported from Committee—Mr. Dickey 340

SUPERVISION OF PRIVATE BILL LEGISLATION :—Report of the Committee withdrawn —Mr. Bellerose 340

CONTAGIOUS DISEASES (ANIMALS) BILL (55)—
Second Reading—Mr. Aikins. 341

JACQUES CARTIER BANK BILL (50)—
Second Reading—Mr. Trudel 341

MERCER'S REFORMATORY BILL (76)—
Second reading—Mr. Campbell 341

RECEIVER GENERAL'S AND PUBLIC WORKS OFFICES BILL (66)—
Second reading—Mr. Campbell 342

SOVEREIGN FIRE INSURANCE COMPANYS BILL (18)—
Motion to concur in amendments—Mr. McMaster— 344
Agreed to 346
Motion to amend—Mr. Bellerose 346
Amendment Rejected—Contents 24 ; Non-Contents 29 355

Thursday, April 24th.

QUEBEC GEOGRAPHICAL SOCIETYS BILL (65)
Third Reading—Mr. Ryan 356

DUTIES OF THE LAW CLERK—Question of Privilege—Mr. Bellerose 356

SOVEREIGN INSURANCE COMPANYS BILL (18)
Third reading postponed—Mr. McMaster 356

THE PACIFIC RAILWAY—Debate on Mr. Read's motion resumed—Mr. Alexander 356
Resolution withdrawn—Mr. Read 356

BILLS OF EXCHANGE AND PROMISSORY NOTES BILL (31)
Second Reading—Mr. Aikins 396

THE CAMPBELL DIVORCE BILL (K)—
Motion to concur in report of Committee—Mr. Dickey 367
Agreed to 369
Motion for third reading—Mr. Dickey.. 369
After debate, third reading postponed 371

Friday, April 25th.

THE DETROIT RIVER TUNNEL COMPANY—Petition presented—Mr. Vidal .. 371

Q. M. O. & O. R. R. BRIDGE BILL (45)—
Third reading—Mr. Penny 372

THE CAMPBELL DIVORCE BILL (K)—
Motion for third reading—Mr. Reesor... 373
After debate, agreed to 380

CONTAGIOUS DISEASES (ANIMALS) BILL (55)—
Second reading—Mr. Aikins 380
Bill referred to Committee 387

MERCER REFORMATORY BILL (76)—
In Committee—Mr. Allan.

RECEIVER GENERAL'S AND PUBLIC WORKS OFFICES BILL (66)—
In Committee—Mr. Montgomery 387

ORDNANCE AND ADMIRALTY LANDS BILL (M)—
Second reading—Mr. Campbell 387

ATLANTIC AND NORTH WEST RAILWAY BILL (56)—
Amendments concurred in 388

Monday, April 28th.

QUEBEC BUILDING SOCIETIES LIQUIDATION BILL (O)—
First reading—Mr. Trudel 388

THE PACIFIC RAILWAY POLICY—Inquiry, Dr. Carrall; Answer, Mr. Campbell.. 388

LICENSED ENGINEERS OF MONTREAL—Motion to print a petition—Mr. Bureau —Postponed 388

THE SENATE DEBATES—A Question of Privilege—Mr. Alexander 389

TONNAGE DUES BILL (80)—
First reading—Mr. Campbell... 394

FELONIES AND MISDEMEANORS BILL—
First reading—Mr. Campbell 394

TORONTO SAVINGS BANK TRANSFER BILL (26)—
First reading—Mr. Smith 394

TRURO AND PICTOU RAILWAY ACT AMENDMENT BILL (58)—
First reading—Mr.Campbell 394

ATLANTIC AND NORTH-WEST RAILWAY BILL (56)
Third reading—Mr. DeBoucherville 394

PUBLIC LANDS BILL (N)—
Second reading—Mr. Campbell 395

BILLS OF EXCHANGE AND PROMISSORY NOTES BILL (31)—
In committee—Mr. Aikins 396

PRINTING OF PARLIAMENT—Tenth and eleventh reports of Committee adopted— Mr. Simpson 396

ORDNANCE AND ADMIRALTY LANDS BILL (M)—
Third reading—Mr. Campbell 397

Tuesday, April 29th.

JACQUES CARTIER RANK BILL (58)—
Third reading—Mr. Trudel 398

NORTH AMERICAN INSURANCE COMPANY'S BILL (41)—
Third Reading—Mr. Scott 398

Licensed Engineers in Canada—Motion for a return—Mr. Bureau .. 398

SOVEREIGN FIRE INSURANCE COMPANY'S BILL (18)—
Motion for third reading—Mr. McMaster 399
After debate, agreed to 408

QUEBEC BUILDING SOCIETIES' LIQUIDATION BILL (O)—
Second reading—Mr. Trudel 408

PROMISSORY NOTES BILL (31)—
Third reading—Mr. Aikins 408

CANADA TEMPERANCE ACT AMENDMENT BILL (C)—
First reading—Mr. Scott 408

INTERCOLONIAL RAILWAY ACT AMENDMENT BILL (28)—
First reading—Mr. Aikins 408

MARINE TELEGRAPH BILL (44)—
First reading—Mr. Macdonald 408

ELECTION LAW AMENDMENT BILL (32)—
First reading—Mr. Aikins 408

Wednesday, April 30th.

Detroit River Tunnel—The petition received—Mr. Allan... 408

PUBLIC LANDS BILL (N)—
In Committee—Mr. McClelan 409

CONFEDERATION LIFE ASSOCIATION'S BILL (53)—
Third reading—Mr. McMaster 409

Private Bills Legislation—Report of the Committe adopted—Mr. Bellerose.. 415

TONNAGE DUES BILL (80)—
Second reading—Mr. Campbell 416

FELONIES AND MISDEMEANORS BILL (75)
Second reading—Mr. Campbell 416

TORONTO SAVINGS BANK TRANSFER BILL (26)—
Second reading—Mr. Smith 417

TRURO AND PICTOU RAILWAY ACT AMENDMENT BILL (58)
Second reading—Mr. Campbell 417

CONTAGIOUS DISEASES (ANIMALS) BILL (55)—
Reported from Committee—Mr. Power 421

Thursday, May 1st.

THE DETROIT RIVER TUNNEL—Petitions presented—Mr. Vidal 421

PUBLIC LANDS BILL (N)—
Third reading—Mr. Campbell 421

CONTAGIOUS DISEASES (ANIMALS) BILL (55)—
Third reading—Mr. Aikins 421

TEMPERANCE ACT AMENDMENT BILL (70)—
Second reading—Mr. Scott 421

INTERCOLONIAL RAILWAY LAW AMENDMENT BILL (28)—
Second reading—Mr. Aikins.. 422

ELECTIONS LAW AMENDMENT BILL (32)—
Second reading—Mr. Aikins.. 428

MARINE TELEGRAPHS BILL (44)—
Second reading—Mr. Macdonald 428

FELONIES AND MISDEMEANORS BILL—
Third reading—Mr. Campbell 430

TRURO AND PICTOU RAILWAY TRANSFER ACT AMENDMENT BILL 58—
In Committee—Mr. Campbell 430

A PERSONAL EXPLANATION—Contagious Diseases (Animals) Bill—Mr. Dickey 431

BUILDING SOCIETIES IN QUEBEC BILL (L)—
Reported from Committee—Mr. Bellerose 432

CANADA AND ATLANTIC RAILWAY BILL (30)—
First reading—Mr. Scott 432

TRADE MARKS AND INDUSTRIAL DESIGNS BILL (82)—
First reading—Mr. Aikins 432

THE CAMPBELL DIVORCE BILL (K)—
The Protest—Mr. Dickey 432

Friday, May 2nd.

THE TARIFF—Motion for a return—Mr. Scott 433

TRURO AND PICTOU RAILWAY TRANSFER ACT AMENDMENT BILL (58)—
Third reading—Mr. Campbell... 435

TEMPERANCE ACT AMENDMENT BILL (70)—
In Committee—Mr. McClelan 435

ELECTIONS LAW AMENDMENT BILL (32)—
Third reading—Mr. Aikins 436

MARINE TELEGRAPHS BILL (44)
Third reading—Mr. Macdonald 436
Bill defeated, Contents, 30; Non-Contents, 32 439

QUEBEC BUILDING SOCIETIES BILL (L)—
Amendments Concurred in—Mr. Bellerose 440

CANADA AND ATLANTIC RAILWAY BILL (30)—
Second reading moved—Mr. Scott 441
After debate, motion agreed to on a division 449

Monday, May 5th.

TORONTO SAVINGS BANK BILL (26)—
Third reading—Mr. Smith 449

Red River Bridge—Inquiry—Mr. Girard—Withdrawn 449

Impeachment of Judge Polette—Petition presented—Mr. Trudel 450

DETROIT RIVER TUNNEL BILL (100)—
Motion—

"That, in accordance with the Twelfth Report of the Committee on Standing Orders and Private Bills, the 37th Rule of this House be dispensed with, in so far as the same relates to the Petitions of the Detroit River Tunnel Company, and of the Canada and Detroit River Bridge Company."—Mr. Allan.

Agreed to 450
First reading—Mr. Vidal 450

QUEBEC BUILDING SOCIETIES' BILL (L)—
Third Reading—Mr. Bellerose 450

TRADE MARKS AND DESIGNS BILL (82)—
Second reading—Mr. Aikins 451

TEMPERANCE ACT AMENDMENT BILL (70)—
In Committee—Mr. McLelan 451
Amendment moved—Mr. Alexander 451
Amendment rejected 452
Bill reported, read third time and passed 452

INTERCOLONIAL RAILWAY LAW AMENDMENT BILL (28)—
In Committee 452
Amendment Moved—Dr. Almon 452
Amendment rejected 454
Bill reported, read third time and passed 454

THE LIBRARY OF PARLIAMENT—First report of the Committee—Mr. Allan—
Adopted 454

BRITISH COLUMBIA JUDGES BILL (97)—
First reading—Mr. Campbell 454

SEAMEN'S ACT AMENDMENT BILL (92)—
First reading—Mr. Campbell.. 454

PICTOU HARBOR BILL (90)—
First reading—Mr. Aikins 454

NORTH SYDNEY HARBOR BILL (89)—
First reading—Mr. Aikins 454

PILOTAGE ACT AMENDMENT BILL (91)—
First reading—Mr. Campbell.. 454

MONTREAL HARBOR COMMISSIONERS' BILL (88)—
First reading—Mr. Campbell.. 454

PACIFIC RAILWAY ACT AMENDMENT BILL (60)
First reading—Mr. Campbell... 454

SOUTH-WESTERN COLONIZATION RAILWAY BILL (6)—
First reading—Mr. Girard 454

Tuesday, May 6th.

CANADA AND ATLANTIC RAILWAY BILL (30)—
Reported from Committee—Mr. Dickey 455

THE NAVIGATION OF HUDSON'S BAY—Motion for a return—Mr. Ryan... ... 455
After debate, motion agreed to 459

INSOLVENCY LAWS REPEAL BILL (15)—
First reading—Mr. Bellerose 459

INTERCOLONIAL RAILWAY LAW AMENDMENT BILL (28)—
Third reading—Mr. Bellerose 459

TRADE MARKS AND DESIGNS BLIL (82)—
In Committee—Mr. Dickson.. 460

BRITISH COLUMBIA JUDGES BILL (97)—
Second reading moved—Mr. Campbell.. 460
Six months' hoist moved—Mr. Cornwall 465
Amendment adopted—Contents, 36 ; Non-Contents, 25 471

SEAMENS' ACT AMENDMENT BILL (92)..
Second reading—Mr. Campbell 471

PICTOU HARBOR BILL (90)—
Second reading—Mr. Aikins... 471

NORTH SYDNEY HARBOR BILL (89)—
Second reading—Mr. Aikins... 471

PILOTAGE ACT AMENDMENT BILL (91)—
Second reading—Mr. Campbell 471

MONTREAL HARBOR COMMISSIONERS' BILL (88)—
Second reading—Mr. Campbell 471

PACIFIC RAILWAY ACT AMENDMENT BILL (60)—
Second reading—Mr. Campbell 471

SOUTH-WESTERN COLONIZATION RAILWAY BILL (6)—
Second reading—Mr. Girard.. 471

DETROIT TUNNEL COMPANY'S BILL (100)
Second reading—Mr. Vidal. 472

Wednesday, May 7th.

IMPEACHMENT OF JUDGE POLETTE—The petition read—Mr. Trudel 472

THE PRINTED STATUTES OF CANADA—Inquiry, Mr. Power; answer, Mr. Campbell 472

CANADA AND ATLANTIC RAILWAY BILL (30)—
Third reading—moved—Mr. Scott 476
Motion to amend—Mr. Alexander 479
After debate, Amendment rejected, Contents 31, Non-Contents 32 492
Motion to amend—Mr. Trudel 492
After debate, Amendment declared lost on division 494
Motion to amend—Mr. Kaulbach 499
Ruled out of order... 499
Bill read the third time, Contents 33, Non-Contents 27 500

BILLS OF EXCHANGE IN NOVA SCOTIA BILL (16)—
First reading—Mr. Dickey 500

RAILWAY LAWS CONSOLIDATION BILL (98)—
First reading—Mr. Aikins 500

DETROIT BRIDGE COMPANY'S BILL (101)—
First and second readings—Mr. Vidal... 500

TRADE MARKS AND DESIGNS BILL (82)—
Third reading—Mr. Aikins 500

SEAMEN'S ACT AMENDMENT BILL (92)—
Third reading—Mr. Aikins 500

PICTOU HARBOR BILL (90)—
Third reading—Mr. Aikins 501

NORTH SYDNEY HARBOR BILL (89)—
Third reading—Mr. Aikins 501

PILOTAGE ACT AMENDMENT BILL (91)—
Third reading—Mr. Campbell 501

MONTREAL HARBOR COMMISSIONERS' BILL (88)—
Third reading—Mr. Campbell 501

PACIFIC RAILWAY ACT AMENDMENT BILL (60)—
Third reading—Mr. Campbell 501

Thursday, May 8th.

DETROIT BRIDGE COMPANY'S BILL (101)—
Third Reading—Mr. Vidal 502

DETROIT TUNNEL COMPANY'S BILL (100)—
Third reading—Mr. Vidal 503

SOUTH-WESTERN COLONIZATION RAILWAY COMPANY'S BILL (6)—
Third reading—Mr. Girard 503

THE SENATE DEBATES—Motion—

"That a Committee be appointed to enquire into the best means to be adopted to obtain correct reports of the Debates and Proceedings of the Senate during the next Session of Parliament, and for the publication of the same—the Committee to consist of the Honorable Messieurs————————."—Mr. Alexander. 503

After debate motion withdrawn 506

INDIAN RESERVES IN BRITISH COLUMBIA—Motion for a return—Mr. Cornwall .. 506

INDIAN ACT AMENDMENT BILL (94)—
First reading—Mr. Campbell 506

BANK HOLIDAYS BILL (57)—
First reading—Mr. Smith 506

MARITIME JURISDICTION ACT AMENDMENT BILL (73)—
First reading—Mr. Campbell.. 506

INSOLVENCY LAWS REPEAL BILL (15)—
Second reading moved—Mr. Bellerose... 506
After debate, Six Months' hoist moved—Mr. Ryan 515
Debate adjourned—Mr. Trudel 518

PETROLEUM INSPECTION BILL (104)—
First reading—Mr. Aikins 518

ANTICOSTI AND MAGDALEN ISLANDS TELEGRAPH BILL (111)—
First reading—Mr. Campbell 518

MASTERS AND MATES CERTIFICATES BILL (112)—
First reading—Mr. Aikins 518

MANITOBA ADDITIONAL GRANT BILL (108)—
First reading—Mr. Campbell.. 518

SUPREME COURT ACT AMENDMENT BILL (74)—
First reading—Mr. Campbell... 518

Friday, May 9th.

CONSOLIDATED BANK BILL—
Petition received—Mr. Campbell 518

THE IMPEACHMENT OF JUDGE POLETTE—Motion—

"That the Petition of J. Denimcourt and others, members of the Bar of the Province of Quebec, in the district of Three Rivers, and others of the said district, praying that a Committee may be appointed for the investigation of the facts alleged in their petition, against the Honorable Antoine Polette, one of the Puisne Judges of the Superior Court of the Province of Quebec, for the district of Three Rivers, and that on proof of said alleged facts, the Senate be pleased to present to His Excellency the Governor-General an Address for the removal of the said Antoine Polette from his said office, be translated into English and printed in both languages, and distributed for the use of members."—Mr. Trudel.

Agreed to 518

INSOLVENCY LAWS REPEAL BILL (15)—
Debate resumed—Mr. Trudel 518
Amendment agreed to, Contents, 31 ; Non-Contents, 27 537

THE TARIFF BILL (9)—
First reading—Mr. Campbell... 537

PRINCE EDWARD ISLAND JUDGES BILL (110)—
First reading—Mr. Campbell... 537

BILLS OF EXCHANGE IN NOVA SCOTIA, PROTEST BILL (16)—
Second reading—Mr. Dickey... 537

RAILWAY LAWS CONSOLIDATION BILL (98)—
Second reading—Mr. Aikins.. 537
Third reading 539

INDIAN ACT AMENDMENT BILL (94)—
Second reading—Mr. Campbell 539
Third " " " 540

BANK HOLIDAYS BILL (57)—
Second reading moved—Mr. Smith 540
Lost on a division 542

MARITIME JURISDICTION BILL (73)
Second and Third readings—Mr. Campbell 542

SUPREME COURT JUDGE (NEW BRUNSWICK) BILL (109)—
First reading—Mr. Campbell.. 542

BANKING LAWS AMENDMENT BILL (G)—
Concurrence in Amendments—Mr. Campbell 542

PETROLEUM INSPECTION BILL (104)—
Second and third readings—Mr. Aikins 543

ANTICOSTI AND MAGDALEN ISLANDS TELEGRAPH BILL (111)—
Second reading—Mr. Campbell 544

MASTERS AND MATES CERTIFICATES BILL (112)—
Second reading—Mr. Aikins 544
Third reading—Mr. Aikins 545

MANITOBA ADDITIONAL GRANT BILL (108)—
Second Reading—Mr. Campbell— 545

SUPREME COURT ACT AMENDMENT BILL (74)—
Second reading—Mr. Campbell 546

Saturday, May 10th.

CONSOLIDATED BANK BILL (114)
First reading—Mr. Campbell 546

ANTICOSTI AND MAGDALEN ISLANDS TELEGRAPH BILL (111)
Third reading—Mr. Campbell 546

MASTERS AND MATES CERTIFICATES BILL (112)—
Third reading—Mr. Aikins 547

MANITOBA ADDITIONAL GRANT BILL (108)—
Third reading—Mr. Campbell 548

THE SENATE DEBATES—Third report of the Committee presented—Mr. Macpherson 549
Report referred back to the Committee—Mr. Macdonald—Contents, 33; Non-Contents, 22 560

THE TARIFF BILL (9)—
Second reading—Mr. Campbell 560
Debate adjourned—Mr. Macpherson 583

MILITIA AND DEFENCE LAWS AMENDMENT BILL (105)—
First reading—Mr. Aikins 583

OFFICIAL ARBITRATORS' BILL (81)—
First reading—Mr. Dickey 583

LUNATICS IN THE NORTH WEST BILL (106)—
First reading—Mr. Campbell 583

MOIRA RIVER TIMBER TOLLS BILL (49)—
First reading—Mr. Flint 583

IBERVILLE BUILDING SOCIETY'S BILL (63)
First reading—Mr. Bellerose 583

WEIGHTS AND MEASURES LAWS CONSOLIDATION BILL (87)—
First reading—Mr. Aikins 583

BETTER PREVENTION OF CRIMES ACT EXTENSION BILL (115)—
First reading—Mr. Campbell 583

CONSOLIDATED BANK BILL (114)—
Second reading—Mr. Dickson 584

PRINCE EDWARD ISLAND JUDGES BILL (110)—
Second reading—Mr. Campbell 584

MORNING SITTINGS—Motion—Mr. Campbell.

Monday, May 12th.

THE DEBATES COMMITTEE—Motion—

"That the Honourable Messieurs Botsford, Kaulbach, Macdonald and Haythorne be appointed as members of the Select Committee on publishing the Debates of the Senate, instead of the Honorable Messieurs Brown, Dickey, Macpherson and Penny, who have resigned."—Mr. Campbell.

Agreed to 586

IBERVILLE BUILDING SOCIETY'S BILL (63)
Second reading—Mr. Bellerose 586

THE NAVIGATION OF HUDSON'S BAY—Professor Bell's report—Mr. Ryan ... 586

PRINCE EDWARD ISLAND JUDGES BILL (110)—
Third reading—Mr. Campbell 586

SUPREME COURT ACT AMENDMENT BILL (74)—
Third reading—Mr. Campbell 588

SUPREME COURT JUDGES IN NEW BRUNSWICK AND NOVA SCOTIA BILL (109)—
Second reading moved—Mr. Campbell.. 588
Debate adjourned—Mr. McClelan 594

CONSOLIDATED BANK BILL (114)—
Third reading—Mr. Macpherson 594

QUEBEC BUILDING SOCIETIES LIQUIDATION BILL (0)—
Bill dropped—Mr. Macpherson 594

Afternoon Sitting.

SUPREME COURT JUDGES IN NEW BRUNSWICK AND NOVA SCOTIA BILL (109)—
Debate resumed—Mr. McClelan 594
The Three Months' Hoist moved—Mr. McClelan... 597
Amendment rejected, Contents, 14 ; Non-Contents, 48 600
Amendment moved—Mr. Miller 600
Amendment rejected, Contents, 8 ; Non-Contents, 52 601
Bill read the second time 601
Referred to Committee 601
Reported from Committee without amendments 604

RAILWAY LAWS CONSOLIDATION BILL (98)—
In Committee—Mr. Dickson.. 604

MILITIA AND DEFENCE BILL (105)—
Second reading—Mr. Aikins... 607

PETROLEUM INSPECTION BILL—
A Clerical error—Mr. Aikins.. 609

Evening Sitting.

IBERVILLE BUILDING SOCIETY'S BILL (63)—
Third reading—Mr. Bellerose 610

SUPREME COURT JUDGES OF NEW BRUNSWICK AND NOVA SCOTIA BILL (109)—
Third reading—Mr. Campbell 610

LUNATICS IN THE NORTH-WEST BILL (106)—
Second reading—Mr. Campbell 610

PREVENTION OF CRIME EXTENSION BILL (115)—
Second reading—Mr. Campbell 610

WEIGHTS AND MEASURES LAWS CONSOLIDATION BILL (87)—
Second reading—Mr. Aikins.. 610

THE TARIFF BILL (9)—
The Debate resumed—Mr. Macpherson 614
After debate, read the third time 630

THE PRINTING OF PARLIAMENT—Thirteenth report adopted—Mr. Simpson .. 630

OFFICIAL ARBITRATORS BILL (81)—
Second reading—Mr. Dickey.. 631

MOIRA TIMBER DUES BILL (49)—
Second reading—Mr. Flint 631

MORNING SITTINGS—Motion—Mr. Campbell 631

Tuesday, May 13th.

THE PACIFIC RAILWAY—Resolutions moved—Mr. Campbell 631
After debate, adopted 641

LUNATICS IN THE NORTH-WEST BILL (106)—
Third reading—Mr. Campbell 641

BETTER PREVENTION OF CRIMES ACT EXTENSION BILL (115)
Third reading—Mr. Campbell 641

THE TARIFF BILL (9)—
Third reading moved—Mr. Campbell 641
Debate adjourned—Mr. Scott. 644

PACIFIC RAILWAY ACT AMENDMENT BILL (116)—
First reading—Mr. Campbell... 644

Afternoon Sitting.

THE PACIFIC RAILWAY—Inquiry—Mr. Macpherson.. 644
After debate—order discharged 651

RAILWAY LAWS CONSOLIDATION BILL (98)—
House again in Committee—Mr. Aikins 651
Reported from Committee—Mr. Dickson—and amendments concurred in .. 652

MILITIA AND DEFENCE LAWS AMENDMENT BILL (105)—
Third reading—Mr. Aikins 652

OFFICIAL ARBITRATORS' BILL (81)—
Third reading—Mr. Dickey 653

MOIRA RIVER TIMBER DUES BILL (49)—
Third reading—Mr. Flint 653

THE PRINTING OF PARLIAMENT—Fourteenth Report of the Committee—Mr. Simpson—Adopted 653

PETROLEUM INSPECTION ACT AMENDMENT BILL (117)—
First reading—Mr. Aikins 653

WEIGHTS AND MEASURES BILL (87)—
Third reading—Mr. Aikins 654

PACIFIC RAILWAY ACT AMENDMENT BILL (116)—
Second reading moved—Mr. Campbell 654
After debate, motion agreed to 658

Evening Sitting.

RAILWAY LAWS CONSOLIDATION BILL (98)—
Third reading—Mr. Campbell 658

PACIFIC RAILWAY BILL (116)—
Third reading—Mr. Aikins 658

THE TARIFF BILL (9)—
Third reading moved—Mr. Campbell 667
After debate, agreed to on a a division 671

PETROLEUM INSPECTION ACT AMENDMENT BILL (117)—
Second and third readings—Mr. Aikins 671

Wednesday, May 14th.

RIVIERE DU LOUP RAILWAY PURCHASE BILL (119)—
First reading—Mr. Campbell 671
Motion to suspend the rules 671

CAPE BEALE LIGHT HOUSE—Inquiry—Mr. Macdonald 675

THE DISMISSAL OF HENRY APPLETON—Enquiry, Mr. Power; answer, Mr. Campbell 676

THE SENATE DEBATES—Motion that the Fourth Report of the Committee be adopted—Mr. Haythorne 676
Motion in amendment—Mr. Alexander 676
After debate, amendment withdrawn 579
Report referred back to the Committee 679

Evening Sitting.

THE SENATE DEBATES—Motion to adopt the Fifth Report of the Committee—Mr. Haythorne 679
After debate, motion agreed to 681

THE SUPPLY BILL—
First reading—Mr. Aikins 681
Second reading moved 681
After debate, read the second and third time and passed 695

Thursday, May 15th:

The Governor-General proceeds in State to the Senate Chamber 695
The Commons called to the Bar of the Senate 695
List of the Bills assented to 695
The Supply Bill assented to 698
His Excellency's Speech 698
The Parliament prorogued 698

DEBATES AND PROCEEDINGS

OF THE

SENATE OF CANADA

FOR THE

FIRST SESSION OF THE *FOURTH PARLIAMENT* OF THE *DOMINION* OF *CANADA*, CALLED FOR *DESPATCH* OF *BUSINESS* ON THE THIRTEENTH DAY OF FEBRUARY, 1879.

SENATE CHAMBER.

Ottawa, February 13th, 1879.

The members of the Senate having assembled, they were informed that a Commission under the Great Seal had been issued, appointing the Honorable ROBERT DUNCAN WILMOT to be the Speaker of the Senate.

The said Commission was then read by the Clerk.

The Honorable the SPEAKER then took the Chair at the foot of the Throne, to which he was conducted by the Honorable Messieurs Campbell and Aikins, the Gentleman Usher of the Black Rod preceding.

The Mace (which before lay under the Table), was then laid upon the Table, and it was

Ordered, That the said Mace be carried before His Honor.

NEW SENATORS.

The Honorable the SPEAKER presented to the House, the Returns from the Clerk of the Crown in Chancery, setting forth that His Excellency the Governor General had summoned to the Senate,

William Henry Brouse, Esquire, of Prescott, in the Province of Ontario, in the room of the late Honorable James Shaw, deceased;

And the Honorable Charles Boucher de Boucherville, of Boucherville, for the Electoral Division of Montarville, in the room of the Honorable Louis Lacoste, deceased.

The honorable gentlemen were then introduced in the usual manner, and, having taken and subscribed the oath prescribed by law, took their seats.

The Hon. the SPEAKER presented a communication from the Governor General's Secretary, informing the House that the Chief Justice of the Supreme Court of Canada, in his capacity as Deputy Governor, would open the Session of the Dominion Parliament at 3 p. m.

The House was adjourned during pleasure.

After some time the House was resumed.

The Hon. WILLIAM JOHNSTONE RITCHIE, Chief Justice of the Supreme Court of Canada, Deputy Governor, being seated in the chair on the Throne,

The Hon. the SPEAKER commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons, and acquaint that House it is the pleasure of the Hon. William Johnstone Ritchie, Chief Justice of the Supreme Court of Canada, Deputy Governor, they attend him immediately in this House.

Who, being come,

The Hon. the SPEAKER said :

Hon. Gentlemen of the Senate :

Gentlemen of the House of Commons :

The Hon. William Johnstone Ritchie, Deputy Governor, does not see fit to declare the causes of his summoning the present Parliament of Canada until a Speaker of the House of Commons shall have been chosen according to law, but to-morrow at the hour of 3 o'clock in the afternoon, His Excellency the Governor General will declare the causes of his calling this Parliament.

The Deputy Governor then retired, and the House of Commons withdrew.

The House adjourned at 3.20 p.m.

THE SENATE.

Friday, February 14, 1879.

The Members of the Senate assembled at 2:45 P. M.

PRAYERS.

The House was adjourned during pleasure.

After some time the House was resumed.

His Excellency the Governor General being seated in the Chair on the Throne,

The Honorable the Speaker commanded the Gentleman Usher of the Black Rod to proceed to the House of Commons and acquaint that House—"It is His Excellency's pleasure they attend him immediately in this House."

Who, being come,

The Speech.

The Honorable JOSEPH GODERIC BLANCHET said :

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Commons have elected me as their Speaker, though I am but little able to fulfil the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Commons, whose servant I am, and who through me, the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to Your Excellency's person at all seasonable times, and that their proceedings may receive from Your Excellency the most favorable consideration.

The Honorable the Speaker of this House then said:

MR. SPEAKER,—I am commanded by His Excellency the Governor-General to declare to you that he freely confides in the duty and attachment of the House of Commons to Her Majesty's Person and Government; and, not doubting that their proceedings will be conducted with wisdom, temper and prudence, he grants, and upon all occasions will recognize and allow, their constitutional privileges. I am commanded, also, to assure you that the Commons shall have ready access to His Excellency upon all seasonable occasions, and that their proceedings, as well as your words and actions, will constantly receive from him the most favorable construction.

THE SPEECH FROM THE THRONE.

His Excellency the Governor-General was then pleased to open the Session by a gracious speech to both Houses :

Honorable Gentlemen of the Senate :

Gentlemen of the House of Commons:

In meeting the Parliament of Canada for the first time, I desire to express the gratification I feel at having been selected by Her Majesty for the high and important office I now fill, and to assure you of the great satisfaction with which I now seek your aid and co-operation.

In acknowledging with profound gratitude the reception which has been accorded to myself, as Her Majesty's representative, I am also commanded by The Queen to convey, through you, to the people of Canada, Her thanks for the loyal, generous, and kindly manner in which they have welcomed Her daughter.

The contribution of Canadian products and manufactures to the great National Exhibition at Paris, last year, attracted much attention, and, it is believed, will have a beneficial effect

on the trade of the Dominion with Europe. I congratulate you on the success which must, in no small degree, be attributable to the kind and unceasing exertions of His Royal Highness the Prince of Wales, as President of the British section. The report of the Canadian Commissioners will be laid before you when received.

I am pleased to inform you that the amount awarded for the Fishery claims, under the Washington Treaty, has been paid by the United States, and that Her Majesty's Government has arranged with Canada and Newfoundland for their respective shares of the award. The papers on the subject shall be submitted to you.

The important and rapidly increasing trade between Canada and England, in live cattle, has been seriously threatened by the appearance, in various parts of the United States, of pleuro-pneumonia. In order to prevent the contagion from spreading to Canada, and the consequent interruption of the trade, I have caused an Order to be issued under "The Animal Contagious Diseases' Act, 1869," prohibiting the importation or introduction into the Dominion, of American cattle, for a short period. It is hoped that the disease will be, ere long, extinguished in the United States, and the necessity for continuing the prohibition removed. Your attention will be invited to an amendment of the Act I have just referred to.

My Government has commenced negotiations with Her Majesty's sanction, for the development of the trade of Canada with France and Spain, and with their respective colonies. I hope to be able to lay before you the result of these negotiations during the present session.

It is the purpose of my Government to press for the most vigorous prosecution of the Canadian Pacific Railway and to meet the reasonable expectations of British Columbia. In carrying out this intention, due regard must be had to the financial position of the country. Communication by rail has been effected between Manitoba and the United system of railways, by the junction at St. Vincent of the Pembina branch of our railway with the St. Paul and Pacific Railroad. That portion of the main line which extends from English River to Keewatin is now being placed under contract, and will be energetically pushed to completion, in order to secure, as rapidly as is possible, the connection between Lake Superior and the great North West.

A bill for the amendment and consolidation of the Acts relating to stamps shall be submitted for your consideration, as well as a measure amending the Act relating to weights and measures.

The decennial census must be taken in 1881. I think it expedient that a measure for the purpose should be passed during the present session in order to give ample time for the preparation of all the preliminary arrangements and to ensure the census being taken as accurately and inexpensively as possible. In connection with this subject, it may be well to consider the propriety of providing some means for the collection and collation of vital, criminal and general statistics.

A Bill will be laid before you for the rearrangement of some of the Departments of the Government, and also measures relating to the survey and management of the Dominion Lands, to the Mounted Police, and to the Post Office Department; and also for the amendment, in some particulars, of the laws relating to Indians.

A measure will also be submitted to you for the vesting in Her Majesty, for the use of the Dominion, of certain Ordnance and Admiralty Lands in the Provinces of Nova Scotia and New Brunswick.

Gentlemen of the House of Commons:

The Estimates for the ensuing year will be laid before you at an early day. They have been prepared with as much regard to economy as is compatible with the efficiency of the public service.

I regret that the receipts into the Treasury from ordinary sources continue to be inadequate to meet the charges against the Consolidated Revenue. You will, I doubt not, agree with me in the opinion that it is not desirable that our finances should longer remain in this condition. By the application of the strictest economy to the public expenditure, and by the readjustment of the tariff with the view of increasing the revenue, and, at the same time, of developing and encouraging the various industries of Canada, you will, I trust, be enabled to restore the equilibrium between revenue and expenditure, and to aid in removing the commercial and financial depression which unhappily continues to exist. I have directed that the Public Accounts of the past financial year shall be laid before you.

Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

Parliament has recognized the importance of providing for the safe deposit of the surplus earnings of the people by arranging for their being placed with the Government at a fair rate of interest. It may be well for you to consider how far it is practicable to give a like security and encouragement to persons who may desire, by an insurance upon their lives, to make provision for those dependent upon them.

Your best attention will, I doubt not, be given to the important subjects I have alluded to, and to the general interests of the country.

His Excellency then retired and the House of Commons withdrew.

FIRST READING.

Hon. Mr. CAMPBELL presented a Bill intituled: "An Act relating to Railways."

The Bill was read for the first time.

HIS EXCELLENCY'S SPEECH.

The Hon. the SPEAKER reported His Excellency's speech from the Throne, and the same was then read by the Clerk.

Hon. Mr. CAMPBELL moved that the House do take into consideration the Speech of His Excellency the Governor-General on Monday next.

The motion was agreed to.

PRIVILEGES OF PARLIAMENT.

Hon. Mr. CAMPBELL moved:—That all the members present during this Session be appointed a Committee to consider the Orders and Customs of this House and Privileges of Parliament, and that the said Committee have leave to meet in this House, when and as often as they please.

The motion was agreed to.

The House adjourned at 3.45 p.m. till Monday next.

THE SENATE.

Monday, February 17th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

THE ADDRESS.

Hon. Mr. CORNWALL—In rising to move the Address in answer to the Speech from the Throne, delivered on Friday last by His Excellency the Governor-General—a duty as well as an honor devolving upon myself—I may feel it in one sense at all events, a source of regret that I cannot plead youthful inexperience in addressing this Honourable House. It is, however, only in one sense that I use this term, for I am proud to say that during the last seven years I have had the honor of sitting in this august assembly, and although I cannot ask your indulgence as a youthful member who essays his first effort before you, yet I feel certain that I can fall back upon that kindness with which you have always listened to me on former occasions, when I felt the necessity of asking you to give me your attention for a few moments. I now purpose to take the Speech which His Excellency was gracious enough to deliver to us in this Chamber, and shortly comment upon it paragraph by paragraph. I find in the early part of that Speech that His Excellency gracefully expresses the satisfaction he has felt in having been selected by Her Majesty to fill the high and important office he occupies. He then expresses the gratification it affords him to seek our aid and co-operation. Further on he thanks the people of Canada for the kind reception they have given to himself, and further tells us he has Her Majesty's commands to thank the people of Canada for the cordial reception they have accorded to her daughter. Now, hon. gentlemen, I think I shall have the whole feeling of the Senate of Canada with me, when I try to express the reciprocal satisfaction which is afforded us all by the events to which His Excellency has alluded. I think we shall all agree that in the choice of the Marquis of Lorne as Governor-General of this Dominion, a wise and judicious selection has been made. In him we have not only the heir of one of the princely Houses of Great Britain, but we have one who, still in the prime and vigor of manhood, approaches middle age and the highest development of his intellectual powers, while already he has given to the world ample evidence of his literary attainments and high education. I think consequently that we have every reason to anticipate an able and constitutional discharge of the duties of His Excellency's position during his term of office, and we must trust that that term of office will be made pleasing to himself by the continued respect and esteem of the inhabitants of Canada. Hon. gentlemen, how can words of mine express the feelings with which we must all be agitated when we remember that we have had committed to our care, and to our love, a daughter of the reigning house of England? How could a greater compliment have possibly been paid to us? How could Her Most Gracious Majesty have more conclusively shown the confidence which she reposes

in the loyalty and attachment of her subjects in this Dominion, than by confiding to us such a precious charge; and how could our feelings of satisfaction find better exposition than in the spontaneously cordial reception which has been accorded to Her Royal Highness by all classes, from the first moment she set her foot on the shores of Canada? I must say that, in British Columbia, we are second to none of the other provinces in our devoted attachment to the Throne of England, and if the course of events, in due time, should allow us the honor of welcoming to those far western limits of this Dominion, His Excellency and the Princess Louise, I am sure we should welcome such illustrious visitors in the most cordial and loyal manner. Proceeding with His Excellency's Speech, I observe that he treats on the gratifying success of the Canadian exhibits at the Paris Exhibition last year. Nothing can be more calculated to bring before the notice of the great world, from which unfortunately we are somewhat remote, the vast extent of our national resources, and our advance in manufacturing and industrial pursuits, and in the arts and sciences, than the judicious seizing of such an opportunity as was last summer afforded to us in this exhibition; and I feel that I only pay a just compliment to the late Government, when I congratulate them and the country at large, on the success of their efforts in that direction. It is gratifying to learn, as I have always understood, and as His Excellency now informs us, that His Royal Highness the Prince of Wales was indefatigable in his efforts as President of the British section to promote our success at Paris, and our thanks are due him for his assistance in that direction. The next clause informs us that the United States have paid the amount awarded for Fishery claims under the Treaty of Washington. In this connection, I am reminded of one of the happy remarks made by our late illustrious Governor General, in one of the notable speeches made by him on one occasion, last winter, at Montreal. He, then speaking on this subject, expressed his conviction that the Americans would pay up, and that they would pay up like gentlemen. The result has proved that the first part of his conviction was, at all events, a correct one. The Americans have paid up, but there has been so much blustering and querulous complaint on the part of the people of the United States, and on the part of the Congress of the United States, from the very day on which the award was paid; and they put off the payment of the award so long, in fact, until the last moment assigned for its payment had arrived, that I cannot quite agree that it was done in the way in which His Excellency suggested. Nevertheless, it must be satisfactory that payment has been made, for it sets at rest, for the time, at all events, a rather delicate question, and it is again satisfactory to us to be informed that an arrangement has been come to between Newfoundland and the Dominion of Canada as to the satisfactory division of the amount of the award. His Excellency next treats of the very important question of the great and growing trade in live cattle between Canada and England, and explains how his Government, in view of the terrible plague of pleuro-pneumonia which has developed itself in the United States, have, for a temporary period, prohibited the importation of cattle from that country into the Dominion. I think the Government cannot be too highly complimented for their energetic and decided steps taken in this matter. Those steps will, doubtless, have the effect, and, indeed, have already had the effect, of calling the attention of the American authorities to this very important subject, and the action they will take to stamp out this terrible disease will, I trust, have the effect of removing any chances of the plague spreading in America in the same way that it has in the older countries of Europe, where it has wrought such dire disaster among the herds of Great Britain and the Continent. Of course we must all concur in the opinion that it is a thousand pities that it was necessary so to interfere with this great and remunerative trade, but surely it is better that the trade should suffer some temporary inconvenience for the sake of future advantage, when we trust that the trade will be so enormously developed as to be of immense pecuniary advantage both to the producers and to the carriers of Canada, and a proportionate advantage to the consumers on the other side of the Atlantic. The next subject treated of is the negotiations into

which the Government have entered, as to the development of our trade with France and Spain, and their respective colonies. I have no reason to doubt, if these negotiations are successful, they will be to our advantage. Any extension of our commercial relations with foreign countries must, if conducted on a proper basis, prove reciprocally advantageous, and when, as I trust, in a short time, some protection shall be given to our manufacturing interests, and those interests shall be placed on a surer basis than they at present occupy, we may confidently expect a great increase of our exporting power, and proportionate advantage. I regret, I must say, that His Excellency did not see fit, or, perhaps, had it not in his power, to explain to us more clearly the course which the Government intend to adopt with reference to that great question, the Pacific Railway. The words made use of in the Speech are most carefully guarded, and, in fact, to myself, are somewhat unintelligible. For instance, it is stated that it is the intention of the Government to press for the most vigorous prosecution of the railway. Now, if that little word "for" had been omitted, and if it had been stated that it was the intention of the Government to press "forward" the vigorous construction of that railway, the words would have been more intelligible, more satisfactory, and, I take it, they would have been more in accordance with the later expression of their wish to meet the just and reasonable expectations of British Columbia. I can tell this honorable House in a very few words what are the just and reasonable expectations of British Columbia. They merely ask that, the surveys having now been completed, the proper route having been selected and located, with, for the present, a terminus at Burrard Inlet, that the construction of that western portion of the line be immediately commenced, and that, too, on a small scale, if the present state of the finances of the country preclude more extensive operations. I think the Government, and hon. members of this House, will agree with me that, on the part of British Columbia, such expectations are both just and reasonable. At the same time, while I have somewhat complained of the meagre information that has been afforded to us on this important subject by the Speech from the Throne, yet I do not conceal from myself the very important fact that this great work is now in the hands of its original projectors. Many of the most prominent members of the present Government were members of the former Administration which agreed upon the terms of union with British Columbia, and, as far as I am aware, every member of the present Government recognized the completion—the early completion—of this great work as a necessity; not only as a necessity to satisfy the just expectations of British Columbia, but as a necessity to solidify and to give cohesion to the distant Provinces of this Dominion, and to make Confederation a fact, instead of what it is at present, merely a name. No members of this Cabinet, I am glad to say, have, either publicly or privately, inveighed against the far-seeing statesmanship which, some years ago—I am sorry to say, many years ago now—was able to grasp the necessity and foresee the good of this great undertaking; and I believe that this Government, individually and collectively, have every intention, as far as lies in their power, to carry this great work to an immediate and satisfactory conclusion. So much, hon. gentlemen, for the western portion of the line. It must be, I am sure, eminently satisfactory to us all to know that Manitoba is now put in connection with the United States system of railways. This fact must be more than satisfactory to such members of this House who, no later than last Session, were instrumental in preventing, without due caution, the surrender of the trade of the great North-West to a certain railway corporation, and who were strong-minded enough, and, fortunately for the country, had voting power enough in this House, to enable them to withstand the denunciations of the late Government, who told them, in so many words that they were perilling any possible chances of railway communication for Manitoba for a great length of time, and were placing that Province in a very perilous position. What has been the result? Their far-sighted wisdom has been borne out in a most complete manner, and we find that Manitoba not only now enjoys railway communication with the outer world, but the control of our own line remains in our own hands. We trust that when the Government have completed as they pro-

mise, the all-rail direct route from Lake Superior to the North-West, we shall have entirely in our own hands the traffic of a country which is eventually destined to be great, rich and populous. The Bills with reference to Stamps and to Weights and Measures, and the Census to be taken in 1881, and other matters of perhaps minor importance will, I have no doubt, receive most earnest attention at the hands of the members of this House. The proposed bill to amend the Act relating to the Indians in certain particulars, will be carefully watched by representatives from my Province, where the law, as it at present stands, is in some respects, totally inapplicable. We must regret, although we may not perhaps wonder at, the recurrence of deficits. The judicious re-adjustment of the tariff to which very pertinent allusion was made by His Excellency the Governor General, in his Speech, will, no doubt, bring about a decided improvement in our commercial and financial condition. I have no doubt the Government and both Houses of Parliament will devote much time and attention to this important subject, and I have every hope that our deliberations will be characterized by sound sense and discretion, and will result in a complete and satisfactory re-adjustment being made. At the same time I am sure we must not expect in the immediate future too great advantage to arise from such re-adjustment. It must be remembered that the whole trade of the world, so to speak, is in a state of collapse. We are only a very small part of that world, and, although it may be as well, and it is doubtless wise, to put ourselves in such a position that we can take advantage of a revival of trade when it does come, yet, until that revival of trade makes its way, until other nations of the world enjoy that revival, we cannot expect to reap from re-adjustment our full reward. And again, in a matter where so many complex interests are involved, it must be evident, in many instances there will be dissatisfaction felt and expressed, whatever may be done, but in a change of such importance, it is clearly the duty of every member of the community to be prepared to give and take, and, perhaps, as far as he himself is concerned, to suffer some inconvenience and loss for the general good. I am sure that unfortunate scape-goat, British Columbia, will be the chief sufferer in any such re-adjustment. Our principal imports necessarily come from neighboring markets in the United States, and such is our geographical position, that until this great Pacific Railway is built across the Continent, such must continue to be the case. Under any circumstances we shall have to bear the brunt of the battle, in any increase of the customs' duties. At the present moment the population of British Columbia pays two or three times as much per head compared with the population of any other portion of the Dominion towards the general revenue; so that I do not know that the additional impost will make material difference; and at all events, I have heard of no complaints in the Province against the proposed re-adjustment, urged upon those grounds. Before taking my seat, I must express the proud satisfaction which I feel in being the first in this Senate of Canada, to congratulate this House and the country at large on the change which has taken place in the formation of the Administration. I do so in no party spirit. I should be the last to say a word to annoy or to hurt the feelings of those honorable gentlemen, members of this House, who formed part of the late Administration, or of those who supported them in this House, and who naturally hold different views on this subject from those which I myself entertain. Least of all would I say a word which would wound the honorable gentleman who lately filled the position of Secretary of State, (Mr. Scott). I remember well how, with an ability, a tact, and a good humor wonderful under the enormous pressure of work which devolved upon him, he conducted in this House the business of the late Government, explained its policy, and defended its intentions. At the same time I have felt for a considerable period that the welfare of the country demanded a change—a complete change—and I think it speaks volumes for the good sense and intelligence of the body of the electors at large, of the Dominion, that they were able to make up their minds so completely on the subject, and, at the polls on the 17th day of September last, to so gloriously vindicate their opinions. Three years ago when I had the honor to address this House on a certain subject, I predicted that the people

of Canada would ere long rise in their strength, and by a supreme effort, bring about some such change as has been accomplished, but I confess, at that time I did not think the overthrow would be so complete, or that so radical a change would be brought about. Canada has now, hon. gentlemen, the satisfaction of having at the head of affairs, a body of men, all of them of standing authority and experience in the country, while several of them have spent many years of an already comparatively prolonged life in high offices, and in the administration of public affairs. It would be quite unnecessary for me to call attention to the past services of the Right Honorable Gentleman who occupies the position of Premier of Canada to-day. It would be equally unnecessary, perhaps, unbecoming in me, and even unpleasant to himself, were I to allude more directly to the Honorable Gentleman, a fellow member of ours, who now occupies the position of Receiver-General, and who is so thoroughly well known to all of us. In the Honorable Gentleman who sits opposite to me, and who fills the office of Secretary of State, we have one who will bring to the discharge of his arduous duties, the same care and assiduity which distinguished him in the same office under a former administration. In the Honorable Gentleman to whom has been assigned the Presidency of this House—to whom has been assigned the high and responsible position of Speaker of this Senate—we have one, who though, perhaps, he has never been up to the present period, called upon to take part in the Executive Councils of the Dominion, yet has spent many years of his life in high official positions in his native province, and who will, I am sure, bring to the discharge of his high duties the most scrupulous sense of honor. He may follow the example of his predecessor in the office; and I am very glad to have an opportunity of congratulating that Honorable Gentleman on the dignified manner in which he presided for five years over our deliberations in this Chamber. Never, perhaps, in the history of Canada, was it more necessary that there should be experienced, eminent, and capable men at the head of affairs than at the present moment. It is as impossible, as it would be unwise, to attempt to conceal from ourselves the eminently unsatisfactory state of the commercial and industrial interests of the country; and although we may feel every confidence in the capacity of those to whom are entrusted such grave matters, yet we cannot shut our eyes for a moment to the arduous nature of the task which lies before them in attempting to restore to Canada some of the prosperity which she enjoyed some five years ago. I am sure that their exertions in that direction will be loyally and ably seconded in this House; and I feel confident in predicting that coming years will crown their efforts with success, and ensure to this great Dominion a relief from its present difficulties and trials, and future peace and prosperity to its people. I have the honor to move, seconded by the Hon. Mr. De Boucherville,

"That an humble Address be presented to His Excellency the Governor General to thank His Excellency for his gracious Speech at the opening of the present Session, and further to assure His Excellency,—

"That we receive with great pleasure His Excellency's gracious declaration that in meeting the Parliament of Canada for the first time, he desires to express the gratification he feels at having been selected by Her Majesty for the high and important office he now fills, and to assure us of the great satisfaction with which he now seeks our aid and co-operation.

"That we are proud to know, that in acknowledging with profound gratitude the reception which has been accorded to him as Her Majesty's representative, His Excellency is also commanded by the Queen to convey, through us, to the people of Canada, her thanks for the loyal, generous and kindly manner in which they have welcomed her daughter.

"That we learn with great satisfaction that the contribution of Canadian products and manufactures to the great National Exhibition at Paris last year, attracted much attention, and that it is believed it will have a beneficial effect on the trade of the Dominion with Europe. We thank His Excellency for congratulating us on the success which, we are assured, must in no small degree be

attributable to the kind and unceasing exertions of His Royal Highness the Prince of Wales, as President of the British section, and for the promise that the report of the Canadian Commissioners will be laid before us when received.

"That we are well pleased to be informed that the amount awarded for the Fishery claims, under the Washington Treaty, has been paid by the United States, and that Her Majesty's Government has arranged with Canada and Newfoundland for their respective shares of the award; and that we shall receive with pleasure the papers on the subject which His Excellency informs us will be submitted to us.

"That we are aware that the important and rapidly increasing trade between Canada and England, in live cattle, has been seriously threatened by the appearance, in various parts of the United States, of pleuro-pneumonia; and that we are glad to know, that in order to prevent the contagion from spreading to Canada, and the consequent interruption of the trade, His Excellency has caused an Order to be issued under "The Animal Contagious Diseases' Act, 1869," prohibiting the importation or introduction into the Dominion of American cattle, for a short period. That we entertain the hope that the disease will be, ere long, extinguished in the United States, and the necessity for continuing the prohibition removed; and that our best attention shall be given to any amendment of the Act just referred to, which His Excellency may cause to be submitted for our consideration.

"That we are much gratified by the information that His Excellency's Government has commenced negotiations with Her Majesty's sanction, for the development of the trade of Canada with France and Spain, and with their respective colonies, and that His Excellency hopes to be able to lay before us the result of these negotiations during the present Session.

"That we thank His Excellency for the assurance that it is the purpose of his Government to press for the most vigorous prosecution of the Canadian Pacific Railway, and to meet the reasonable expectations of British Columbia. That we are sensible that in carrying out this intention, due regard must be had to the financial position of the country, and that we are happy to know that communication by rail has been effected between Manitoba and the United States system of railways, by the junction, at St. Vincent, of the Pembina branch of our railway, with the St. Paul and Pacific Railroad, and to learn that the portion of the main line which extends from English River to Keewatin is now being placed under contract, and will be energetically pushed to completion, in order to secure, as rapidly as is possible, the connection between Lake Superior and the great North-West.

"That any Bill for the amendment and consolidation of the Acts relating to Stamps which may be submitted for our consideration, as well as any measure amending the Act relating to Weights and Measures, shall receive our best attention.

"That we are aware that the decennial census must be taken in 1881, and that we agree with His Excellency in thinking it expedient that a measure for the purpose should be passed during the present Session, in order to give ample time for the preparation of all the preliminary arrangements, and to ensure the census being taken as accurately and inexpensively as possible, and that, in connection with this subject, it may be well to consider the propriety of providing some means for the collection and collation of vital, criminal, and general statistics.

"That we shall not fail respectfully to consider any Bills which His Excellency may cause to be laid before us for the rearrangement of some of the Departments of the Government, and also any measures relating to the survey and management of the Dominion Lands, to the Mounted Police, and to the Post Office Department; for the amendment, in some particulars, of the laws relating to Indians, or for the vesting in Her Majesty, for the use of the Dominion, of certain Ordnance and Admiralty lands in the Provinces of Nova Scotia and New Brunswick.

"That we thank His Excellency for the assurance that the estimates for the ensuing year will be laid before us at an early day, and that they have been prepared with as much regard to economy as is compatible with the efficiency of the public service.

"That we share the regret expressed by His Excellency that the receipts into the Treasury from ordinary sources continue to be inadequate to meet the charges against the Consolidated Revenue; that we agree with His Excellency in the opinion that it is not desirable that our finances should longer remain in this condition; and that we trust, with His Excellency, that by the application of the strictest economy to the public expenditure, and by the re-adjustment of the tariff with the view of increasing the revenue, and, at the same time, of developing and encouraging the various industries of Canada, we shall be enabled to restore the equilibrium between revenue and expenditure, and to aid in removing the commercial and financial depression which, unhappily, continues to exist; and that we thank His Excellency for having directed that the Public Accounts of the past financial year shall be laid before us.

"That we agree with His Excellency in thinking that, as Parliament has recognized the importance of providing for the safe deposit of the surplus earnings of the people, by arranging for their being placed with the Government at a fair rate of interest, it may be well for us to consider how far it is practicable to give a like security and encouragement, to persons who may desire, by an insurance upon their lives, to make provision for those dependent upon them.

"That His Excellency may rest assured that our best attention will be given to the important subjects to which he has been pleased to allude to, and to the general interests of the country."

Hon. Mr. DE BOUCHERVILLE—I rise to second the address which has been moved in such an eloquent and forcible speech, and, in doing so, permit me to express how deeply I feel the honor which has been conferred upon me in being elevated to a seat in such an eminent and distinguished assembly as the Senate of the Dominion—the highest legislative body of a new nationality, which has, while yet in its infancy, given proofs of a vigor and vitality which few nations have displayed at such an early period of their existence. My ambition in this Chamber shall be to follow, at a distance not too great, in the footsteps of my new colleagues. His Excellency refers, in his Speech from the Throne, to the gratification he feels in having been selected for the high and important office which he now fills. We also have experienced a lively satisfaction in learning that Her Majesty has conferred the exalted position of Governor General of this Dominion upon one who has already so far deserved her confidence and esteem, as to be given the hand of her daughter, Her Royal Highness the Princess Louise; and we all, I am sure, will be happy to give to His Excellency the aid and co-operation which he so graciously asks of us. His Excellency then acknowledges with profound gratitude the reception accorded to him, and conveys to the people of Canada the thanks of Her Majesty the Queen for the loyal, generous and kindly manner in which they have welcomed her daughter. I am sure I express the sentiment of every Canadian, when I say that the arrival of Her Royal Highness in this country, has intensified in our hearts the devotion which we have always felt for the Royal Family, and we recall the motto of the land of our fathers, which is also the motto of our own:

"God, our King, and our Country."

The third paragraph refers to the display of Canadian products at the Exhibition at Paris last year, and recognizes the incessant exertions of His Royal Highness the Prince of Wales in our behalf. In a time of depression, such as we are passing through, every thing which gives us reason to hope that our commerce can be extended, and that we may have a return of prosperity, is certainly a cause of rejoicing to the people of this country; and we should be thankful to His Royal Highness the Prince of Wales, for his untiring exertions in drawing attention to the products of this Dominion. The next paragraph expresses pleasure at the satisfactory conclusion of the Halifax Fishery Commission. We can assure His Excellency that we share the pleasure which he thus expresses, that the result of that commission has been the payment of a large award for the advantages which our American neighbors have obtained for the use of our fisheries. The next paragraph refers to the precautions taken by the Government to prevent the spread of disease among our cattle.

The promptitude with which the emergency was met furnished proof that our agricultural interest was, and will always be, faithfully and vigilantly guarded by the gentlemen who at present administer the affairs of the Dominion. The next paragraph expresses His Excellency's gratification that negotiations had been commenced with France and Spain and their colonies, with a view to the extension of our trade with them. If these negotiations should result as satisfactorily as His Excellency would lead us to hope they will, no doubt our commerce will begin to rapidly develop by the new avenues which will thus be opened for it; and we will watch the result of these negotiations with anxiety. The next paragraph refers to the Pacific Railway. The Government, in vigorously prosecuting the work of constructing this road, not only pursue a policy which will rapidly people our vast Western country, and increase, in consequence, our national wealth, but, above all, will fulfill a sacred engagement with the people of British Columbia. I believe that nations as well as individuals cannot afford to violate their plighted faith. The next paragraph refers to amendments to the Acts relating to Stamps and Weights and Measures. I hope the Government will consider whether it would not be advantageous to consolidate all our laws, with a view to rendering it less difficult to understand and refer to them. The following paragraph relates to the next decennial census. I believe it is very wise that the Government should not wait until 1881 to make preparations for taking the census with accuracy and economy. The experience acquired by the distinguished officials who took the last census, is a guarantee that important improvements will be made in the manner of collecting and collating statistics. The measures promised in the next paragraph cannot fail to be of great importance, and will, no doubt, be carefully considered by Parliament. Under any circumstances it is evident to me that the Session upon which we are now entering will not enable any of us to regard our positions here as a sinecure. The next paragraph refers to the importance of providing for the safe deposit of the surplus earnings of the people. Notwithstanding the modest rank which this measure occupies in the Speech from the Throne, it is not difficult to see that numerous interests will be affected by it. It will be a measure which will be looked for anxiously, especially by the widows and orphans of Canada; and, to use an English expression, I may say, that though it is the last mentioned in the Speech, it is by no means the least in importance. The last paragraph assures His Excellency that we will give our best attention to the important subjects to which he has been pleased to allude, and to the general interests of the country. It does not rest with me, a new member, to appeal to you to respond with zeal to this invitation of His Excellency. The talents which have distinguished the Senate ever since its formation, and the important work which it has performed in past sessions, are a guarantee that His Excellency the Governor General will find that all these important subjects will receive here the attention which they demand.

Hon. Mr. SCOTT—Before proceeding to make a few observations, which I propose to address to the House on the subject of the Speech from the Throne, I desire to congratulate my hon. friend who moved the resolutions, on the very clear and forcible speech with which he introduced them to the Senate. The hon. gentleman when he speaks, always does so with great force and perspicuity, so admirable in a public speaker. I cannot, I confess, agree in all the conclusions which the hon. gentleman drew from the several paragraphs on which he was pleased to comment, and more particularly the closing remarks, in which he indulged, on the results which he predicts will flow from the change of Government. Considering that the hon. gentleman somewhat stumbled on the paragraph referring to the railway in British Columbia, I confess I was rather surprised at the manner in which he paid those compliments, but as they were paid generously and liberally on all sides, I do not propose to be captious. The hon. gentleman's words will, no doubt, go down, and I may indulge in a little prophecy, and say that after two or three years will have passed away, the hon. gentleman, being a British Columbian, will, no doubt, find that the anticipations he was pleased to indulge in to-day will

hardly be realized. It will be extremely difficult for this, or any other Government, to meet all the expectations of British Columbia in the way of building the Pacific Railway in a specific period. One would think that the rumors which have gone abroad with regard to a change of the railway route in British Columbia were not true, more particularly as my hon. friend is interested in the line which ends at Burrard Inlet.

I must congratulate the Senate on the accession to our numbers of the hon. gentleman who seconded the resolution. I have had the honor of sitting in legislative bodies with him before, and my name has often appeared on division lists on the same side with his. Although I may not agree with all his views lately on political questions, I recognize in him a great acquisition to the Senate. He comes to us possessed of great experience, after having occupied a very exalted position in his own Province, and I feel quite satisfied that this House is a great gainer in the elevation of my hon. friend to a seat in the Senate of Canada. Coming now to the Address itself, I observe with pleasure those paragraphs somewhat personal to His Excellency the Governor General and Her Royal Highness the Princess Louise. I listened with very great gratification to the remarks of the hon. gentleman who moved the Address, and I am sure that I speak the sentiments of this Chamber and of the people of Canada, when I say we are all glad that His Excellency has so correctly interpreted the sentiments of the people of Canada in the selection of himself to represent Her Majesty in this country, and when he sees the portions of Canada which he has not yet visited (for he has become acquainted with a very limited portion of it), he will find the same spirit prevailing throughout the Dominion; that the people of this country accept it as a very high compliment that a nobleman belonging to so distinguished a family, that has furnished so many statesmen for the Mother Country, has been selected as Governor General of the Dominion, and more particularly, when we consider the close alliance between that distinguished nobleman and Her Majesty. A very great compliment has been paid to the people of Canada, and I have no doubt, whatever, that the presence of Her Royal Highness, the Princess Louise, in this country, will engender a warmer spirit of devotion; that it will not only keep alive, but perpetuate the sentiments of loyalty and respect which the people of Canada entertain for the Throne. Now, as to the Speech proper, I have very few criticisms, and those not of a very hostile character, to make in reference to it. In fact, it is a speech that might, with all propriety, have been submitted for the approval of His Excellency by the advisers who preceded the present Administration. It breathes the same tone with regard to important questions, and it does not, in my judgment, indicate that new departure that we all expected was to be taken in this country after the 17th of September last. It does not foreshadow any extraordinary changes to be adopted in this country—any very violent change in its future fiscal policy. On the contrary, the only paragraph which has any reference to that subject is one that entirely accords with my own view. It is that when any increase in the tariff is contemplated, the main object in view should be a larger revenue, bearing in mind always that as far as we can afford to give incidental protection to our manufacturers, it is but right and proper that we should do so. That was the policy of the late Administration, and on several occasions that we made changes in the tariff, they all took that direction; they all more or less benefitted the industries of the country. That we can stimulate into existence any manufactures in Canada that will make an extraordinary change in our prosperity, I utterly deny, and the next few years will prove how impossible it would be for this or any other Administration to comply—having in view the future of this country—with the demands of those who advocate what is known as a policy of protection. If this country is to rise from the terrible depression under which it is at present laboring (and rise it will, for we all have faith in the future of this country) it will rise by the same agencies that are now at work in the United States. We see to-day the exports of that country have increased by nearly $50,000,000 over the preceding year, and the increase is entirely due to the national products of the States, their breadstuffs, petroleum, raw cotton, and all articles that

are the outgrowth of the soil. We in Canada are equally favored with the United States. We have not cotton, but we have other products. No country is better suited than the Dominion for the raising of cattle. The coarser grains grow in greater perfection here than on the other side of the line. We shall, in the future, no doubt, have an abundance of wheat, and by that source of wealth will begin to rise also; but it is only by our lumber and the products of our mines and farms, that we can expect a return to prosperity. Any policy which tends to endanger or check the growth of that trade is not favorable to this country. The paragraph having reference to the Paris Exhibition is one that must be exceedingly gratifying to my honorable friend, the late Minister of Agriculture, as it is a compliment to his administration of that department, he having had special charge of the details of our display at that exposition. I think the result of that exhibition and of the one held at Sydney, will be of great benefit to this country. I understand that, consequent upon the success of our agricultural implements at Sydney, a great many orders have been given to our manufacturers in Western Ontario. In those manufactures, Canada has always excelled. Wherever a market could be found, they could undersell our neighbors, simply because Canada is a cheaper country to live in. The money appropriated for this purpose has been well spent, and I am glad to find the present Administration entirely approve of the policy of their predecessors in reference to this subject. No doubt the success of Canada at the Paris Exhibition was largely due to the direct interest taken by His Royal Highness the Prince of Wales. He had given us increased space, and a most prominent position for our exhibits, where they could be seen to very great advantage I am very glad to find the Government are taking active steps in reference to the question of our cattle trade. It is one of immense consequence to this country, and I have no doubt the present Administration will see that no impediment is placed in the way of its development. It is a trade that has assumed very important proportions, and I have great faith in its becoming even more important in the future. I do not propose to comment on the other paragraphs of the Address, further than to say that I quite agree with the Government in the proposition to push forward the construction of the Pacific Railway, having due regard to the financial position of the country. Those are the qualifying words that were placed in previous speeches, not exactly word for word, but in effect the same, implying that the people of this country will build that road just so soon as their financial circumstances will allow them, without unduly imposing fresh burdens on the Dominion. I fear with that qualification my hon. friend from British Columbia will scarcely be satisfied. I have somewhat anticipated the observations I proposed to have made in reference to the paragraph that speaks of the re-adjustment of the tariff. It accords with my own view, though I can scarcely believe that it accords with the views supposed to have been expressed by the people of this country on the 17th of September last. The people of Canada have been told during the past two or three years that the adoption of a protective policy, or, as it was more elegantly expressed, a national policy, to benefit our mining, agricultural and manufacturing industries, was the only one for Canada. They were assured by the leaders of the Conservative party, both on the platform, and in this and another place, that should a change of Government take place, from that moment an era of prosperity would dawn upon the people of Canada; that the manufactures of this country would at once be enlarged; that the farmers would have markets at their own doors; that the price of farm products would immediately rise; and, though the tariff had not been changed, all those indications of increased prosperity would at once be witnessed. What has been the change since the 17th of September? The accumulated depression of the preceding four years was not equal to the depression of the last five months. We have seen the products of the farm descend to a level they had not attained during the preceding quarter of a century. We have seen the bank stocks of this country topple down thirty, forty, and, in some cases, even fifty, per cent. That is the only evidence we have had of any extraordinary change since the 17th of September; and whether, by an act of Parliament that may be introduced through

the agency of the Government of this country, our position of a few years ago may be restored to us, I think doubtful; and I scarcely think that any hon. gentleman can have faith in such a proposition. I do not think it is possible. I think that prosperity is to be obtained through an entirely different avenue—the one which I explained some time ago—and by a somewhat reduced expenditure in the administration of public affairs, and by our people exercising economy individually. We shall all wait with very great anxiety for this most desirable consummation, and I am sure that the people of this country are now looking forward with great earnestness to the tariff which is to bring about this prosperity. With these few remarks, I take my seat, merely intimating that I have no disposition to make any proposition with regard to the Address. Some five years ago, when the circumstances were somewhat different, my hon. friend opposite stated to me that he, representing the stronger body in this Chamber, was not disposed to give the Government of that day any opposition—they were to be allowed to push their measures through this Chamber, and to be held, of course, responsible for them. It would be rather ridiculous for me to tender my support to my hon. friend. The gentlemen who are somewhat politically allied to me in this Chamber do not bear anything like the proportion that at that time recognized him as their leader; and, therefore, it would be quite unnecessary. However, my honorable friend may be sure that we, on our part, will do all we can to fairly criticise, and to assist as much as possible in the development of legislation in a direction which we think most beneficial for this country.

Hon. Dr. CARRALL.—I had not intended to say a single word upon this occasion, but I consider it a duty to myself and to the Province which I represent, to endorse and supplement what has fallen from the lips of the mover of the Address, Although many of the members of the late Government are among my personal friends, I consider that they were unfit to meet the emergencies which have arisen during the last five years. It was unfortunate that during a great commercial crisis they happened to hold the reigns of power. Unfortunately for themselves, and for their history as a party, they left a number of monuments from Halifax to Victoria in the shape of piles of steel rails, Neebing Hotels, etc. I have to congratulate the country and the Senate on the selection of a Cabinet which I believe will be an honor to the Dominion. They bring to their deliberations large experience. I believe every one of them has, either in some Provincial Legislature, or in the Dominion Parliament, been educated to deal with such important subjects as must necessarily arise from time to time. As a result of that experience I do hope that they will not over-legislate—that they will not take up too many subjects every session, and that they will deal only with the largest questions. I also congratulate hon. gentlemen on the fact that simultaneously with their acceptance of the Seals of Office, a daughter of our Gracious Queen, whom we all love and revere—"Victoria" is dear to me, because I live in a city of that name—has come to reside amongst us. I cannot let this occasion pass without saying a word with regard to one who passed away from amongst us during the recess. But these occurrences are frequent, and we have become so accustomed to them that we speedily forget them.

"As from the shaft the air no wound receives,
"The sea no furrow from the keel,
"So dies in human hearts the thought of death."

Yet, notwithstanding all this, many grave and calamitous events have occurred during the recess which call for comment. Death itself has invaded the sacred precincts of this painted Chamber. I look now and behold the vacant chair of him who once, and for many years, occupied a position in this august body, and, I think I am entitled to say, that I express the sentiment of the majority of hon. gentlemen present when I say that the bereaved of his household have the sympathy of the Senate. There is no accounting for these sudden events, but other events of a character affecting the welfare of the Dominion have occurred during the recess, which I look upon as calamitous, especially the loss of Lord Dufferin, to the Dominion of Canada. I look upon it as an irreparable loss, and the only consolation that we have in connection therewith is the

fact that we have in our presence from the very Throne of the Empire itself, the person of the daughter of the household, and a son of one of the noblest houses of a portion of the Empire, in whose ability to guide, direct, and govern the destinies of the country, I have the utmost confidence. I hope that the words I have spoken, feeble as they are, may be wafted across the Atlantic to Lord Dufferin, expressive of the feeling we all entertain in regard to his sojourn amongst us. With regard to the paragraph relating to the Pacific Railway, I am disappointed. That undertaking was the wedding-ring, so to speak, of our union with Canada—the unification and consolidation of the Dominion. I do think that something might have been devised by the astute leader of the Government, who is equal to any emergency, which would be more satisfactory. Seven years have passed since the Union of British Columbia with the Dominion, some thirteen millions of dollars have slipped through the fingers of the administrators of our public affairs, and yet we have nothing to show except the monuments I have referred to, for that vast expenditure. I propose, at a future period of the session, to deal with this subject, and I merely content myself on this occasion with endorsing the expressions used by the mover of the Address, in referring to the clause relating to the construction of the Pacific Railway.

Hon. Mr. ARMAND—It has not been my custom to speak on the Address in answer to the Speech from the Throne; yet, under existing circumstances, I cannot avoid expressing some regret, more especially when I see that all governments in the Mother Country, whether of the one or of the other party, the adviser of our august and well-beloved Sovereign, counsel her to name as her representative in the Dominion of Canada, a man who invariably speaks French, and that, through love of justice, deference and courtesy for nearly a million and a half of her loyal subjects; and therefore I comprehend how it was that our predecessors proclaimed so loudly, and we, too, after them, that the last gun fired in the New World in the interests of Albion would be fired by a French Canadian. I am surprised—more than surprised—I am pained, to see that the advisers of Her Majesty's illustrious and distinguished representative seem to make light of this act of justice, deference and courtesy, in prohibiting my language (French) in the person of the hon. gentleman presiding over the deliberations of the Senate. Perhaps I may be told that the late Government had done the same. That they did so I do not deny; but that Government was not a friendly one to the French, and the ex-Premier felt that he had to take vengeance, to punish and humiliate the Province of Quebec, for having, for so many years, given preference to the rival of its great oracle—a preference which more than once compelled him to utter a cry of rage and anguish: "I am overcome, but I am defeated by French domination." This cry, however, he will not henceforth make; but in lieu of it will have to say: "I am vanquished by the National Policy." And to this his *protégé* will be able to add: "Aye, and by the pamphlet of the Senator from Saugeen." Furthermore, the Reformers will be able to say: "We are now conquered, not by the undue influence of the clergy, but by the policy of protection we had aforetime invoked, but had sacrificed at the bidding of an obstinate and purblind Minister of Finance." But I have another regret to express, and it is the ostracism and elimination of twenty-four Senators from the Province of Quebec, who have no representative in the present Government. Is it that the present Government is of the vulgar school, or the alter-ego school, who desired to abase the Senate in the Dominion of Canada? It would seem to me that the Premier, who is the soul of his Government, should have consulted the hon. leader of this House in a matter of this kind. He would have pointed out gentlemen who had given him, or could give him, help in critical and dangerous conjunctures. He might also have advised with his old colleague, the well-tried member for Kamouraska (the present member for LaDurantaye), who for more than a quarter of a century had maintained a contest with the most wily, the most astute, the most polished, and the most determined politician of the times—as witness his *coup d'état* of the 2nd March last. He might also have consulted the

old member for the county of Laval (the present Senator from the division of Lanaudiere), who had many years of Parliamentary experience, and of over a hundred electoral campaigns—who, in fact, has made that county what it is to-day, the most Conservative county in the Dominion. Perhaps the hon. Premier may say that time did not permit him to look elsewhere; yet there were quite near him, in Montreal, two old friends whom he had loaded with favors—one by a mission to the West Indies, and the other by dual representation. But it would appear that the hon. Premier does not now find pleasure in the company of his old friends, and seeks it in that of younger sympathizers. Yet let him beware, for it is a fact that youth often tires of old company. Still, as he has so much affection for young counsellors, why did he not seek the advice of the youngest member of this House, who but recently replaced one who had often commanded the admiration of his compatriots, who had raised Canadian commerce to the highest scale, through whom vessels crossed seas, and navigated the lakes, rivers and canals of the New World; he who more than once caused the electoral balance to incline in favor of his party; in fine, he whose name will be erected in history as a beacon to whom the intelligent youth of his country will turn, saying: "Can we not do what the Hon. Louis Renaud did in his day?" It seems to me that this young Senator had some claim to youthful sympathies; but not at the Windsor in Montreal, for it was decided that not one of the twenty-four Senators of the Province of Quebec would have a representative in the Government. Aye, and that fact was proclaimed in the streets of Montreal, in a public press office, upon the railways, and sent over the wires to New York. Is it then the intention of the hon. Premier to give a color of reality to the comparison of the Hon. Mr. Drummond about him. Neither Sir Louis Hypolite Lafontaine, nor yet the Hon. A. N. Morin, would have acted in that way, notwithstanding that their political mishaps commenced in their respective counties of Terrebonne, the one through the ambition of a portion of its youth, and the other through means of a political faction composed chiefly of strangers. Nor yet would Sir Etienne Pascal Tache have pursued such a course. That noble man who inspired the Government and the great Coalition Party, which projected and accomplished Confederation, and whom I have once heard saying: "I have to read a lesson to one of our young compatriots who wished to dance faster than the fiddle; who wished to be a general before he was a lieutenant. I am not the person, my young friend, to whom you should address yourself for such a purpose. If I have reached the top round of the social ladder, it is after having climbed them one by one. During the war of 1812, I was a soldier before being ensign, and you, too, should wait. The places you covet you may have by and bye, through legitimate means, for the holders are nearer the grave than the cradle." Nor again, would Sir George Etienne Cartier have followed this course. His fidelity to his friends is too well known. Hear what he once said in answer to young men who desired his aid in stirring up opposition to an old member: "Before passing over the body of that member, you shall pass over mine, for I have no more devoted friend; when it is necessary to give battle, I have not to hunt him through the streets and suburbs, and when a vote is to be taken I need not ring the bell to bring him to his post; he is always in the breach, whether fortune smiles or frowns." Yet why should I descend into the grave to find among the ashes of the departed chiefs illustrations of fidelity, when such are found among the living. Ask him who, with his noble consort, filled with so much dignity the position of Governor of the Province of Quebec at the era of Confederation. Yes, ask Sir Narcisse F. Belleau, when he presided as leader in this House after the demise of Sir Etienne Pascal Tasche, what he answered to certain members, who informed him of the intrigues of young aspirants against old servants: "Be easy, no such thing will happen while I am First Minister, for I will not allow any injustice." Ah! if things go on as they now do, I for one among the twenty-four Senators, from the Province of Quebec, shall ask permission not to emulate the conduct of the faithful dog who licks the hand of his master who strikes him. I remember well that shortly after Confed-

oration Sir Etienne Cartier proclaimed, what should now be well understood, that there should no longer be any cause for the party divisions which existed under the old union. It will be a matter of grief to me to separate from such men as the Campbells; yet, if these men are powerless to protect my Province in the Senate—a Province chosen as the platform, the hearth and the pivot for regulating the representation of the different Provinces, and the only one called to make sacrifices—it will be but rational and judicious on my part to lift my head, open my eyes, and pay my regards to allies who would display the motto of our present Governor, or that other motto, inscribed upon one of our banners "aliens tendinus." I do not speak for myself for I have reached the apogee of my ambition. I speak for my colleagues, senior and junior, who like me are under no obligation to silence their legitimate aspirations, but who are also bound to see that justice is done where it should be. Yes, if things are to go on as now, I desire that the noble Scotchman (Mr. Holton) who has represented so long and so faithfully the county which was the rampart against the republicanism of our neighbors, should find new allies, for I have often admired that honorable member. Once, especially, I honored him for his love of justice and his desire to have it extended even towards his political adversaries. In a heated question I have known him, in concert with the present Governor of Manitoba, to search among constitutional authorities for the means of protecting the accused of the Northwest against the attacks of the present Minister of Customs —attacks which probably gained him the position he now occupies. Yet I must not be unjust to the Minister of Customs and it is my conviction that those attacks were just as much directed against the ex-Premier and his colleague, the Minister of Justice, who had been guilty of an intrusion into the Province of Manitoba, which was an act characterized by the present Governor of Nova Scotia as a stain and a cloud upon their political career. Apparently they desired to compel the people there to reap among the briars and thorns, the seed of those national and religious principles they themselves had sown there. It seems to me that they desired to teach them that we should treat our enemies as we do our friends, and our friends as if they were likely to be our enemies tomorrow. But relative to this question of the Northwest, I am somewhat surprised, for both the youngest and the oldest member from Manitoba hold that the pardoned party was the most guilty, and the banished one the least so. And I also admired the hon. member for Chateauguay, when I saw him rise in the Commons to the great astonishment of both sides of the Chamber, demanding from the Premier whether it was by his orders or otherwise, that one of his colleagues—the Postmaster-General, a new importation into the Government—urged by an unbounded and sordid ambition, had gone into the County of Argenteuil for the purpose of disturbing the harmony which had always existed between the Catholics and Protestants of the Province of Quebec. It is most desirable that that hon. member should find among his fellows from Ontario or other Provinces a new Baldwin; for it is my conviction that with such men, though a party, a province or a nation may be vanquished, it can never be destroyed. Like McMahon in his trench, wounded, covered with blood, crushed by numbers, dragging himself among the dead and dying, who answered to those who counselled a retreat, "No, we must show the crowned heads of Germany and Prussia how a Marshall of France can die." In awaiting justice, I think that the twenty-four Senators of this honorable Chamber will feel the injury done them when they realize that they are held of no account in the present Administration. I anticipate we shall all recover our old vigour, and for my own part I desire again to experience juvenile ardor, and then it may be found that among the younger men who support the present Government, there may be some who were elected by acclammation because there were not twenty-five qualified electors to oppose their nomination, and there may be others who were elected by large majorities, but who may find the returns rather confused and changing finally from majorities to minorities. Let not the present Government deceive itself because of its great majority. The late Government had one once, and yet in less than a day, in a few hours in fact, it was dissipated.

In view of the political era which we are now inaugurating, I trust and have the pleasing hope that the mother country will understand, that if there is a time to resist, there is also a time to yield; that she will soon allow us to participate in the benefits of her commercial treaties with other nations, for the interests of the Colonies are identical with those of the Empire. Yes, the prosperity, glory and happiness of her colonial subjects must be as dear to our august Sovereign as those of her people at home. I was glad to hear some years ago one of the illustrious representatives of Her Majesty saying that England would spend her last shilling in protecting the Colonies, just as she would to protect the County of Kent, and that in effect it cost her more actually to protect her commercial flag than to protect the Colonies. And we in our turn, should any manufacturer or artizan of Manchester, Liverpool or London, fear to come here because of undue competition, ought to say let them nevertheless try by the establishment of branches of their business, and we will receive them with open arms and protect them with all our power. Let them consider the sentiments which one of themselves made in full Parliament during the War of Independence: "If I were an American, as I am English, never would I submit to the grievances you impose upon them." Moreover the foresight of the noble English, the brave Scotch and the children of the beautiful Green Isle, who advise the Empress of India, (she who presides so well over the destinies of the Empire), will suggest to them that nothing should be left us to desire among our neighbours. They know that if France, notwithstanding her disasters, still occupies the leading position in finance, it is due to the protection she practices and they know that if the United States are paying off with ease the immense debt contracted during the War of Secession, it is also due to protection. Bismarck himself now perceives that to save Germany, which is groaning under a fearful load of pauperism, he must abandon free trade, and hence it is that he has notified all the ambassadors in foreign countries that for the future the policy of Germany will be protective. I dare say that free trade is correct in principle, but there are no rules without exception, and regard must be had to time, place and circumstances. The mother land has given us already what she holds most gracious and most sacred, her constitution and her system of responsible government? Let us then while awaiting better times through the realization of our wishes, make use of that grand privilege of the constitution, which permits to all British subjects the right to petition the Sovereign.

HON. Mr. HAYTHORNE—Without any desire to extend this debate unnecessarily, I feel it my duty to offer a few observations on some of the topics which form part of the Speech delivered to us from the Throne. I am sure that I, myself, in common with all Canadians, cannot help expressing the same sentiments of loyalty at the arrival of His Excellency the Marquis of Lorne, and Her Royal Highness the Queen's daughter—sentiments which are known to all Canadians; but one who has arrived at my time of life, and who has still a keen recollection of Her Majesty when she was the Princess Victoria, the arrival of her daughter as Consort of our Governor-General, is most especially gratifying. I would not have risen on this occasion had it not been for the fact that the Speech from the Throne contains one or two paragraphs in which the Province with which I am more intimately connected has a special interest, and as I wish to be as brief as possible, I shall lose no time in referring to them. It is not unnatural that the people of Prince Edward Island should feel a warm interest in the fact that the award of the Halifax Commission has been, or will be, paid over to Canada, but that is not the special point to which I refer. The paragraph is expressed in perhaps the shortest and most concise terms possible to make use of. I find no fault with that fact; it is not, perhaps, to be expected that within the space of a short paragraph the Government would think proper to elucidate their future policy with regard to the employment of that award, but at the same time I must say this, that connected as I am with one of the Maritime Provinces, I do feel that it is a matter of extreme importance that the inhabitants of those Provinces, and especially the one with which I am connected, should be made acquainted at as early a day as possible with the manner in which the Government proposes to em-

ploy that money. Here I will state my hope—and I will add, my expectation—is that the Government, the Legislature, and the people of the Dominion will, in this matter of the Halifax award act in strong contrast to the conduct of their cousins over the American border, in the matter of the Geneva award. It seems to me that the great object, for I do esteem it a great object that our national character should be established and preserved, would be most surely attained by dealing with this award on some fixed intelligible principle based upon equity and sound policy. Such a principle, I think, will be found in the simple enunciation of these few words that "what the fisheries have gained the fisheries should keep." That, I think, is a fair and well-defined principle which might be adopted with great advantage. Once adopted and carried into effect, it would lead the way to the sub-division of that award, and its employment for beneficial purposes, in a way that would be useful and agreeable to this country, and it would do away with the difficulties that have attended the division of the Geneva award. I may, perhaps, be expected to assign some reasons why the award should be employed for the benefit of the fisheries, and I have no objection to state, that in my opinion the fisheries have not received that support which their importance, the number of individuals engaged, and the amount of capital employed, entitles them to receive. It would be impossible for any Government to do all that is necessary or desirable to develop the shore fisheries of the Provinces, and I think that the present is a great opportunity when this neglect can be repaired without having recourse to the general revenue of the Dominion, and with great advantage also. There is another point to which great prominence ought to be given, namely, that in carrying this award into effect a very sensible injury has been done to the fishing interests of the Maritime Provinces. It must be clear to every hon. gentleman that to have the three miles limit, which was once reserved for British fishermen, opened to Americans whose system of operations are so widely different from those employed by the Colonial fishermen who generally use boats, while the Americans employ schooners; (the Americans use large seine nets and our fishermen use lines), that it must be obvious the Colonial fishermen suffer materially from the competition of the Americans within the three miles limit. It is only equitable that the injuries we have received from the Treaty of Washington, which was carried into effect, for great national purposes, to settle existing disputes, prevent their recurrence and maintain peace between two great peoples, should be compensated. These objects were attained to a great extent to the injury of the fisheries of the Maritime Provinces, and, therefore, when the award of money is made to compensate the Dominion for the privileges which have been assigned to the Americans, it seems to me that no more suitable, no more just appropriation of the funds so paid over could be adopted, than to devote them to the development, improvement and protection of our fisheries. This is not a time, nor is it at all desirable, that one should go at length into this question. No doubt further on in the session reference will be made to this question, and I only mention the subject now with a view to draw from the Government some slight intimation as to what their intentions are with regard to this award. I must also express my sincere regret that a most able colleague of my own whose acquaintance with the subject is, perhaps, as perfect as that of any of the representatives from the Maritime Provinces, is unable, from a frightful accident, from taking his place here to-day. Whatever his views may be, they would be listened to, I am sure, with attention in this Chamber. I must, therefore, express my regret that Mr. Howlan is not able to be present and take part in the debate on this question. Another paragraph of the speech to which I will shortly allude, refers to the Pacific Railway, but I must say when my hon. friend from British Columbia rose to move the Address, I, perhaps hastily, formed the impression that the differences which had heretofore occurred between the Government at Ottawa, and the Government of British Columbia had been brought to a happy and agreeable conclusion; but my impression was perhaps a little too hasty on that point, for I observe that there still exists a good deal of difference of opinion between the hon. members from that Province and the Government of the day. I may say that as a Canadian myself,

and as a man advanced in years, I should be most desirous to see that great undertaking carried into effect as speedily as is compatible, of course, with the financial position of the Dominion. I have in former debates in this House, expressed opinions similar to those in the paragraph referred to. I have expressed myself favorably as to the great results that may be expected to flow from the construction of the Pacific Railway, and especially have I stated in my place in this House the desirability of building what has been known as "the missing link," from Keewatin to English River. That, I observe, if not now under contract will probably very soon be, and if the Government can carry that contract into effect on anything like reasonable terms, and within the next two or three years, I think they will be conferring a great benefit upon the Dominion at large, and more especially upon the Province of Manitoba, which it is most desirable should be at once directly connected with the older Provinces of the Dominion.

There is a subject incidentally referred to with reference to life insurance :—

"Parliament has recognized the importance of "providing for the safe deposit of the surplus "earnings of the people by arranging for their "being placed with the Government at a fair "rate of interest. It may be well for you to "consider how far it is practicable to give a like "security and encouragement to persons who "may desire by an insurance upon their lives "to make provision for those dependent upon "them."

Now, hon. gentlemen, if the Government have recognized, and I presume they have by this paragraph, the importance of providing a safe deposit for the surplus earnings of the people, I would simply throw out this suggestion, that it is quite as important to look after the proper management of chartered banks, and banks acting under acts of incorporation, as it is to look after the safe deposit of the people's earnings in cases of life insurance. I was, perhaps, scarcely aware myself of the extent to which the people's earnings are invested in bank stocks, until a recent occurrence in our own Province, and I was surprised to find the extent to which bank stock was held by farmers and others. I do think the interests of persons whose position is not generally such as enables them to obtain information as to the proper management of the banking institutions in which their funds are invested, demand that the Government should take cognizance of this fact, and render the conduct of banks safe and secure. I speak more specially with reference to the terrible events of this kind which have occurred in Great Britain, and to one which has occurred in the Province with which I am connected. When we consider the disastrous effects which follow from the breaking down of one of these institutions, the loss which individuals sustain of the property which they have so laboriously earned and set aside for their old age or for the maintenance of their families, I say it is a matter well worth the attention of the Government, whether some supervision should not be exercised over joint stock banks to prevent them from engaging in undue speculation, from infringing upon their charters, and from at any time inflating their stock in a manner that may lead to disaster. Nor can I see any objection that could be raised by any well managed institution to such inspection by the Government. A well managed institution has nothing to conceal, and the report of such an officer would tend rather to raise the value of their property than to depreciate it, while, on the other hand, the fact of such an inspection being imminent at unknown and unexpected periods, would have the effect of keeping those disposed to go astray from the proper course of banking, in the right path. These are the two points in the Speech which appear to me to require notice, and which have special interest to the people of the Province with which I am connected, and I think I would be deficient in my duty to my constituents if I allowed this opportunity to pass without drawing attention to the subject. With reference to my hon. friend's concluding remarks, the congratulations which he expressed as to the return of his political friends, I will simply conclude my remarks by saying that I hope all those bright anticipations of his will be fully realized, and that there will be nothing to dash or mar them.

Hon. Mr. MACDONALD—I had no intention to say anything on this occasion, and I rise with greater reluctance as two members from our Province have spoken; but, owing to a remark dropped by the

mover of the Address, I am called to my feet. First of all, I have to congratulate him on his very able speech. I fully endorse the expressions of loyalty and affection to the Sovereign, and to the Governor-General and his Royal Consort. The hon. gentleman, in the course of his speech, fell into an error, which I cannot let pass without contradicting it. It is well known there is a diversity of opinion with respect to the route of the Pacific Railway in our Province, and I cannot allow his words to go to the country unchallenged. I believe he said the line had been surveyed and selected in the Province. I give that a most emphatic contradiction. I believe it has not been fixed upon yet; and if I am wrong, perhaps the Government will set me right. It is true, the late Government acted as though the line had been located. It is true, they spent money they ought not to have spent, but the route remains an open question. I am very much pleased to hear of the progress made in opening up Manitoba and the Northwest; but it would give me much more satisfaction if the original project, commencing simultaneously the work of construction at the east and west ends of the Pacific Railway, had been adhered to. I think it would be out of place to introduce a railway discussion into this debate; but I will say this: We have been living on expectations for a very long time, and we find it a mighty poor and unsatisfactory dish. We are very hungry for more substantial fare, and we hope that something will be done to satisfy our reasonable expectations—for they are reasonable. If the Government could spend only $200,000 this year in our Province, it would satisfy us. It would be an indication of a *bona fide* intention to commence the work. With regard to the proposed change in the tariff, I know that our Province cannot influence the policy of the Government, but I would ask the consideration of the Government to our condition. A higher tariff will bear very heavily upon us. We have no manufactures, and have to import everything we use. We cannot get access to your markets here, in consequence of the distance that separates us, and the great cost of freight. We are therefore shut out of all markets but those of foreign countries, and we will feel the burthen of increased taxation, while our Provincial revenue is so small that we cannot carry on public works; so that our people will have no work, and an increased tariff. At the same time, if our expectations were to a certain extent met, the people would not mind how high the tariff was raised.

Hon. Mr. CAMPBELL—On behalf of the Government, I gratefully acknowledge the favorable manner in which hon. members have referred to the Speech from the Throne. I cordially concur in what has been said of the eloquent manner in which the Address has been moved and seconded, and unite in the feeling of pleasure to which expression has been given upon the accession to our numbers of the hon. Senator from Quebec, M. de Boucherville. The hon. gentleman who leads Her Majesty's Opposition could hardly have spoken in more flattering terms, since he has stated that he sees nothing in the Speech that might not have been said by the late Government. The only incident in the discussion which has given me pain is the view taken by my hon. friend, who sits behind me (Mr. Armand), as to injustice which he considers has been done to Lower Canada, in the mode in which that Province is represented in the Government. I cordially agree with him in wishing that the arrangements had provided for a French Canadian Minister occupying one of our seats in this House. I can say for myself and my colleagues here, and I believe for the whole Government, that nothing would have given us greater satisfaction. It would have assisted us greatly in the administration of public affairs, and would also, I am sure, have been viewed with great favor by every member of this House, no matter from what Province he comes. The hon. gentleman has correctly said that in former Governments there was usually a member from the Province of Quebec in this House. It so happened in the formation of this Administration that we were deprived of this advantage. I wish very much that it had been otherwise, and trust that my hon. friend with whom I have had such pleasant relations for the last twenty years will bear in mind that it is not in the power of the gentleman who may be called upon to form an Administration to carry out all its details in the way he would wish.

He is obliged to do, not what he would, but the best he may find possible. The Province of Quebec has in past governments been represented as it is in this by four members. The bulk of the population in that Province is of course, French, but there is a considerable English element and that element in this and former governments has always had an English representative in the Government. There are thus three seats left to be distributed amongst French Canadians. My Right Hon. friend with whom the formation of the Ministry was entrusted applied himself, I am confident, to the best of his judgment, to place those seats at the disposal of those gentlemen who seemed to him to represent most completely the French Canadian Conservative party. I am confident that he himself would gladly have seen a French Canadian belonging to the Senate in the Government. That, however, did not seem to be the most convenient or desirable arrangement to the Conservative party in Lower Canada, and hence the arrangement was made as it now exists. I am confident that my honorable friend behind me does the Premier a very great injustice, if he believes that he was either careless or indifferent to the rights of the Senate, or that he willingly passed over this branch of the Legislature as regards the Province of Quebec. It was the force of circumstances and not the disposition of the Right Honorable gentleman, I am confident, which controlled the matter. I venture to think also that my honorable friend behind me will find in the manner in which the great offices of State have been distributed, that every consideration has been paid to the sensibility of honorable gentlemen coming from Quebec. Four very important portfolios have been assigned to them, and a compatriot of theirs was also proposed to the House of Commons by the Government as its Speaker, and now occupies that dignified position. I trust that when my honorable friend considers these facts he will at all events completely acquit us of any intentional slight, either to the Province of Quebec or to the French Canadian Senators in this House. I am not able to give the honorable gentleman from Prince Edward Island any information as to the disposition we propose to make of the sum which has been paid recently by the American Government under the Fishery Award. The hon. gentleman will no doubt seek that information hereafter, and, so far as it can be given without disadvantage to the public service, we shall be glad to give it to him. My hon. friend, who did us the honor of moving the Address, referred to what he thought was an imperfection in the paragraph relating to the railway in British Columbia. If there is anything uncertain in the paragraph, I can relieve his anxiety, for we desire to say frankly that our intention is, so far as the resources of the country will enable us to do so, to press on with that great work, and to do so as early as possible, as well in British Columbia as on this side of the Rocky Mountains. I was glad to notice that my hon. friend who seconded the Address, in looking at the French copy, did not find the objection which struck the hon. gentleman from British Columbia. I thank the House very much for the manner in which the Speech has been noticed, and I desire, on the part of my colleagues and myself, to express our anxious desire to meet, as far as possible, the responsibilities of the position in which we find ourselves. We have addressed ourselves to our various duties, with an earnest wish to respond to the expectations of the public, and the confidence which we enjoy in both branches of the Legislature. We may not be able to meet the expectations of the people of the Dominion, and certainly not so quickly as we and they would like, but I think we shall differ from the late Government in this, that we shall not sit down and believe that no remedy is to be found for the depression under which the country is suffering, but shall try, at all events, to do something to relieve it, and restore the prosperity which existed at the time we left office in 1873. Before sitting down, I am glad to be able to say with reference to that paragraph in the Speech, which refers to the negotiations which we have initiated with the French Government, concerning the reduction of their duty upon Canadian shipping, in consideration of certain reductions to be made in the products of France, we have received a telegram to-day from Sir Alexander Galt, the gentleman who is charged with those negotiations, telling us that the Government of that country had acquiesced

in our propositions, and that they would be submitted to the Chamber of Deputies to-morrow by the Government, and, therefore we apprehend, will likely be received favorably by that body. This will be something, at all events, towards the restoration of that prosperity which the late Government thought could not be in any way remedied by legislation or executive action.

Hon. Mr. SCOTT—Negotiations were commenced a year ago.

Hon. Mr. CAMPBELL—We found no trace of them.

Hon. Mr. WARK—I would call attention to the first paragraph and suggest an improvement. I suggest that we should more fully express our sense of the favour conferred by Her Majesty upon us in sending Her daughter to reside amongst us. I think we should express the feeling of Parliament that we regard this as an additional proof of the deep interest Her Majesty feels in the Dominion.

Hon. Mr. CAMPBELL—It is not usual to go beyond the language of the Speech, although I quite agree—and I am sure we all agree—in the feeling the hon. gentleman expresses. An opportunity will arise, no doubt, hereafter to express the sentiment which the hon. gentleman suggests. The resolutions as they read show at all events strong sympathy on our part, in that direction.

Hon. Mr. BELLEROSE—As a member from the Province of Quebec, I cannot allow this Address to pass without entering my protest against the manner in which the Administration has been formed. When one recollects the different discussions that have taken place in former sessions in this Chamber, we cannot but regret the remarks made by the hon. leader of this House. It is well known that no longer than five years ago in this Senate of Canada, strangers who came in never heard a single word of French. It is well known that protestations since 1873 had been entered against that ruling, which I consider to be an injury to the important minority of the people of this Dominion. And it is not only as a member representing the Province of Quebec, that I have to speak of this, but it is as a member representing the minority of the whole Dominion of Canada, that I say that the Government is not excusable for what they have done. Had this been the case before, we might have excused the Government, and said they had not properly considered it. But without speaking of what was the practice before Confederation, have we not always seen, since Confederation, one French speaking member of this Government taken out of the Senate. And why was this? It was to explain to the members from the several Provinces speaking the French language, the views of the Ministry in their own mother tongue. I heard it repeated thousands and thousands of times that the late Government were anxious to crush down Lower Canada; that the late Administration gave public money to other Provinces, but that Quebec never got its share, and true it was. But what is a question of money compared to that of one's mother tongue, or to that of nationality or creed? This Government have not yet refused to give us our fair share of the public money, but they have refused us a voice in this House that could be understood by the representatives of Quebec. It is this act which the hon. leader of this House says is trifling.

Hon. Mr. CAMPBELL—I beg the hon. gentleman's pardon. I never spoke in that sense.

Hon. Mr. BELLEROSE—The hon. leader of this House has accepted a portfolio under the Premier, and, as well as his colleagues, must be held responsible for this omission. Did not the hon. gentleman say that Lower Canada had its share, that Lower Canada had its fair representation in the Cabinet? Was he not trying to persuade us that the omission was a trifling matter? That was his excuse, and what kind of an excuse was it? Had not all the other Provinces their share when the thirteen members were called to be the advisers of the Crown? How was it then, that there should be fourteen Ministers, but that the additional Minister should be given to another Province, over and above its rights? The third voice in this House was given to the English speaking members, who have now here three Protestant ministers. Eight

days elapsed before the Government was formed after the Premier was called upon by His Excellency. He waited for the return of a gentleman who was on the other side of the Atlantic. If gentlemen of this House had been in Montreal and heard the rumors at the street corners, they would have known what was going on in that interval. There were constant intrigues, outside as well as inside the Windsor Hotel, and this very question of the French speaking member of the Cabinet in the Senate, was brought up. I contend that we have been deprived of our rights. Does not the British North American Act entitle us to the representation which I demand? That Act declares that both languages are on the same footing, and by that it is explicitly understood that we, the French minority, may ask as a matter of right, that we have in the Ministry of the day a gentleman who can explain the policy of the Government in the only language that many of us from Quebec understand, and with which, at all events, we are more familiar. But, gentlemen, one thing I know, and it is this, that whenever on those delicate questions we have been slow to insist, our rights and privileges decayed. Let us cast an eye on what has happened during former sessions. Only last year had we not a third clerk brought to the table of this House, to act as a translator, and what difficulties were thrown in the way? Every one knows that the hon. gentleman who now leads the Government in this House did his best to prevent me from succeeding. When I objected to the withdrawal of the report of the committee, who had reported favorably on my prayer, I was opposed by that hon. gentleman; and had I not been an old member who knew something about the rules and proceedings of the Senate, I would have taken my seat and considered myself beaten. It was only because I knew I was right, that I insisted justice should be done us. I say again that we are ill-treated when the hon. gentleman tells us that we have everything we want. The late Government had always a minister speaking the French language in this House, and a Catholic Minister. I am sure that some hon. gentlemen in this House will shudder when I say that this is one thing which this Government should have paid attention to—that we should even here have a Catholic Minister. Every session politico-religious questions come before the House, and I say it is unfair that there is no Roman Catholic representative on the Treasury Benches to guard the interests of that great body in the Dominion. Who put those very gentlemen who are now at the head of public affairs in the positions they hold to-day? Who put and kept Sir John A. Macdonald at the head of the Administration in Canada these twenty years? Has it not always been the Province of Quebec, which he now takes so little care of? No Government in this country can say that I have ever gone much to them for myself, or for those who are concerned with me, but for the people at large I have always been, and shall always be a true advocate, and I speak in their name and am only discharging my duty in taking the stand which I do to-day. Have I not good reason to speak feelingly against such treatment as my native Province has received? I would feel even more strongly on this subject if I did not believe that the Premier of Canada, and the hon. leader of this House, have been misled by hypocrites and intriguers of my own nationality. It is because I have the proofs of those intriguers and of that hypocricy that I excuse the Premier, because I believe him to be too much of a statesman to act in the way he has unless he was misled, though I must say there was one way open to them to ascertain what the people of Quebec really demanded, and I believe I have the right to ask the hon. leader of this House if he ever was consulted about what was to be done in this branch of Parliament?

Hon. Mr. CAMPBELL—Unfortunately I was not consulted, because I was confined to bed by a very serious illness, and knew nothing of it; but I am responsible for it all, and I am prepared to take the responsibility.

Hon. Mr. BELLEROSE—I know the hon. gentleman is responsible, though, I am sure, he never was consulted. I am confident if he had been consulted, the Cabinet would not have been formed as it has been. But if the hon. leader in this House was ill, was there not a second leader, the Hon. Mr. Chapais, who was elected by the minority in this House as

their representative? Has he been consulted?

At 6 p.m., Hon. Mr. BELLEROSE moved the adjournment of the debate.

Motion agreed to.

The House adjourned at 6.10 p.m.

THE SENATE.

Ottawa, Tuesday, Feb. 18th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

USE OF THE SENATE CHAMBER.

Hon. Mr. CAMPBELL moved,

That a Committee be appointed, composed of the Honorable Messieurs Allan, Chapais, Botsford, Dickie, Christie, Scott, with his Honor the Speaker, to lay down Rules touching the use of the Senate Chamber and appurtenant rooms on occasion of the opening of Parliament, or when asked for by His Excellency the Governor-General for Levees or Drawing Rooms.

The motion was agreed to.

THE ADDRESS.

DEBATE CONTINUED.

The order of the day being called, resuming the adjourned Debate on the Honorable Mr. Cornwall's motion, That an humble Address be presented to His Excellency in answer to His Excellency's Speech from the Throne,

Hon. Mr. BELLEROSE said—Hon. gentlemen,—I believe I have been understood, yesterday, as stating that although I had to address myself to the Premier of the Government in my complaints against the composition of the present Administration, that I felt bound to state that I believed that that hon. gentleman, though responsible for what had been done, knew nothing about the arrangements that had been made for the Province of Quebec until they were reported to him, and made public. I believe I also stated that I was sure the hon. leader of this House knew nothing of the matter, and having asked the hon. gentleman, he at once expressed his regret at the present arrangement, and said that he had not been consulted, being at that time very ill.

Hon. Mr. CAMPBELL—But that I was responsible!

Hon. Mr. BELLEROSE—Yes, being a member of the Ministry, he was responsible for all its acts. Now, as a member of the minority in this House, I believe I have a right to ask of the hon. gentleman whom we were pleased to elect as our leader, whether in the making of those arrangements he had been consulted, and whether he knew how things were going on, and if he knew how it was that our leader in this House—the gentleman representing the Province of Quebec—did not think it his duty to insist that justice should be done to his Province?

Hon. Mr. CHAPAIS—In answer to the question put to me by my hon. friend, I must say that I have not been consulted in that matter, and I beg leave to add that I did not expect that I would be consulted on it, because it seemed to me that it was not necessary, for there was only one way open to the gentlemen who were in charge of the formation of the Administration to take in a Quebec Senator. I have nothing else to say.

Hon. Mr. BELLEROSE—I reply to the hon. gentleman that I join issue with him. If I understand him well, he states that he was not consulted; that he did not expect to be consulted, because there was only one way open to the Premier to form his Government—that is, to have taken one of his colleagues from amongst the Senators of our Province, speaking the French language. Let the hon. gentleman correct me if I am mis aken. I am sorry to say that, even with the position he takes, it seems to me that he is entirely wrong. What then would be the use of selecting leaders in this House, if in such circumstances they are not to be consulted in such parts of the Ministerial arrangements as interest more specially this hon. House, or if they are to be silent when such important matters have to be arranged? Now, hon. gentlemen, let me state briefly what occurred during the five or six former sessions con-

cerning the great question of the French language. As I stated yesterday, I took my seat in this House in 1873. I at once was painfully impressed with the fact that the French language appeared to be completely banished. During the first session—a very short session indeed—I was content to observe; but during the second and third sessions I several times called the attention of the hon. Speaker and of hon. members of the Senate, to the unsatisfactory state of things, and to the necessity of remedying it. My remarks were always well received, but more than courtesy I never obtained. I had therefore either to give up insisting that our rights should be recognized and respected, or to bring the question fairly and squarely before the House. To surrender the recognition of the rights of one's mother tongue would have been more than cowardice—it would have been treason. Whatever difficulties I might see in the way, I understood it to be a duty to persevere in my efforts. Consequently, during the session of 1876 I laid the question fairly before the Senate. A warm discussion ensued. Hon. members will recollect that two of the leading members of this House rushed upon me in the name of the English majority. My claims, they said, were unfounded; the rules of the Senate recognized no such rights too the French language. I had no great difficulty to find an answer. "Above the rules of the Senate I place the Federal Compact," said I, quoting the clause. At last, one of those gentlemen ended by assuring the French-speaking members of this House that the majority (members speaking English) would not certainly refuse, through courtesy, what I demanded, but that I ought not to claim it as a right. I thanked those gentlemen, but I assured them, that, whatever would be the consequence to me personally (as my enemies would take occasion to call me a hot-headed man), I would do my duty to my Province—do my duty to that important minority in the Dominion speaking the French language, and that I would not quit vindicating their rights until justice was done. At the very beginning of the next session (1877) I again submitted the question. A Committee was given charge of it. Before that Committee I fought out the question until a report was adopted, recommending that an official be appointed to sit at the Clerk's table during the sittings of the House, to translate the proceedings. Hardly had this report been read by members forming the majority in this House before a strong opposition was raised against its adoption. I continued my work, fought for the rights of my mother tongue, and at last I had the pleasure of seeing the report adopted and the very next day put into force. The rights of the French language were recognized, and ever since it has had its proper position in the Senate. Now, hon. gentlemen, having given you a short history of what has been done in this House as to the preservation of the French language, let me now refer you to what has been done since by the Government of the day. As for Sir John having thought it his duty for eight days to delay the formation of the Lower Canadian portion of his Government, while awaiting the arrival of Mr. Masson, I do not wish to see anything improper in it, nor will I concern myself about it, since the Premier chose to abdicate his rights in favor of Mr. Masson, and to leave to him the responsibility of deciding what especially interested our Province. Though I must say, that for all that, the hon. Premier is no less responsible for the whole of the appointments and for all and every injustice which may have been done. But once called upon, once charged by his chief with the important mission of presiding at the formation of this portion of the Administration, was it not an imperative duty on the part of the Hon. Mr. Masson to show a little more respect than he has shown for the system inaugurated by the great Conservative chief in 1867? Ought he not, following the example of Sir George Cartier, to have summoned to take part in the new Government, a senator speaking the French language, and who could answer in the name of the Government in the language of the minority? Ought not the simple fact, that often, not to say every session, politico-religious questions came up before Parliament, have decided Mr. Masson to follow the established custom and not leave the Senate without a defender responsible for the maintenance of Catholic principles? But what was this to Mr. Masson provided he were made a Minister? Has he

not had the two Catholic Ministers, whom even the Liberal Mackenzie Government allowed in the Senate, (one English, one French), replaced by two English Ministers, both Protestants, and, as the climax of his forgetfulness of duty, has he not sanctioned the nomination of a fourteenth Minister, so as to give the English and Protestant majority of the Senate the advantage of having three English and Protestant Ministers, a thing that was never seen before? And this forgetfulness of duty is all the more culpable since Mr. Masson had to guide him the wise precedents left by the great patriot, whom every day we learn more and more to appreciate. Does Mr. Masson think that he is better able to judge of the need of our position? Does he think that Sir George had not his views, when he created those precedents at the time of Confederation, which even Mr. Mackenzie followed to the letter, by taking into his Cabinet, as long as he remained at the head of affairs, a senator from the Province of Quebec, who was a Catholic and spoke the French language? But there was another great motive, a motive springing from the purest patriotism, which ought to have led Mr. Masson to take from the Senate a colleague speaking the French language—that of showing his entire approbation of the position taken by the French members of the Senate, when they all combined to vindicate the long unrecognized rights of their language. Mr. Masson appears to condemn the patriotic act of those gentlemen, and to approve of the efforts of the English majority to banish our language, by not taking a French minister from the Senate to interpret the views and the politics of the Government, in the only language which the minority understands, or at least in the language which is more familiar to them. My desire not to say anything that is not strictly true leads me to add (what will to some extent diminish Mr. Masson's responsibility) that he has not, perhaps, been perfectly free to act as he would have liked in the case in question, and that, consequently, his weakness is as much to blame as his will. At least, that is what I would conclude from the information which I have received. The rumor is afloat that, on his arrival from the other side of the Atlantic, Mr. Masson was informed that the circle of political friends at Montreal who were more immediately interested in the formation of the Lower Canadian portion of the Ministry, had come to the conclusion that one of the Ministers ought to be taken from among the Quebec members of the Senate who spoke the French language; but that, after he had been sworn in at Quebec and had reached Montreal, Mr. Masson found himself surrounded by certain intriguers, who whispered in his ear that he ought not to take a French Minister from the Senate. Mr. Masson had, therefore, to choose between public opinion on one hand, and the intriguers on the other. What did he do? Stand his ground against the clamour of intrigue, and obey only the dictates of duty? No, that was not Mr. Masson's course of conduct. He preferred, on the contrary, to devote his first ministerial act to the cause of intrigue, in aiding it to triumph. He accepted the latter suggestion—to have no French Minister in the Senate—and then the difficulty was settled. Yes, hon. gentlemen, thus was settled the difficulty. But thus, also, were the whole of the people of the Province of Quebec, nay, the whole of the French speaking population in this great Dominion of ours, deprived of their rights. Only last session this hon. House heard the hon. gentleman who now leads the Senate (Mr. Campbell), denouncing in strong terms the unconstitutionality of the act of His Honor the Lieutenant-Governor of Quebec in dismissing his Ministers, who were sustained by a great majority of the Legislative Assembly of that Province, and, I myself, then denounced, as I do now, such an act as a violation of the spirit of our Constitution. But what is now the position of the Government? While they are called upon to sit as judges of His Honor, to punish him for such a violation of the law of the land, it happens that they are themselves accused of a more serious infringement of what this same Constitution clearly implies, the right of the two nationalities in this country to have on the Treasury benches representatives speaking their own language. Hon. gentlemen, I wish I had within reach of my voice the whole of my compatriots, I would ask of them what they think of the humiliating position in which they are placed by the present Government, and I am sure that with a unanimous voice they would answer that things have

greatly changed. They would sigh for by gone times, when Lower Canadians had a great patriot and a great statesman at their head. They would then feel keenly what a great loss our Province sustained in the death of Sir George E. Cartier. They would remind us of the time when Sir H. Lafontaine and the Morins pressed for the maintenance of the French language; they would recall the later days when Sir George E. Cartier was fighting the battles of Lower Canada, and of the Lower Canadians. They would remind us of those strenuous efforts of his to protect all that is dear to a French Canadian. They would repeat now, what has been said and repeated hundreds of times since, that with Sir George the Province of Quebec had lost their best man. They would say if Sir George had been there, he would never have consented to his countrymen being placed in so humiliating a position as that which they occupy under the present Government. And what would they say about those who have been using all kinds of intrigues to force their way into the Government, and to take into their hands the great cause of our Province which they afterwards so shamefully abandoned? I know not what our people have in reserve for those hon. gentlemen, but one thing I know, and that is this, if the people of Lower Canada, as well as those of the different Provinces of the Dominion, speaking the French language, are satisfied with the position in which the present Government have placed them, then, gentlemen, I say that there is no use for us, their representatives, to labor any further for the preservation of our nationality, language and creed. If our people fail to rise in their might, and to call upon the present Ministers of the Crown, who are the guilty parties in this instance, to account for such a dereliction of duty, then, I say, there is no use for the members of this House representing the Province of Quebec, to do anything more, and it is better for us to stand quiet and suffer in silence anything that the Government may see fit to impose upon us, because they would only be shewing that they are unfit for the high position they are called upon to hold in the Dominion. I hope I will be pardoned if I have spoken somewhat strongly upon this subject, but after having fought for so many years for the maintenance of the rights of the people of my Province, and for the free use of their native language, I cannot help feeling strongly when I see my own political friends—the men whom I have supported these thirty-three years—overlooking the claims of Quebec. Where would our friends from Ontario have been but for our Province? Where would they have been, supported as they were in their Province, but for the great majority which Sir George Cartier carried with him in days gone by. And now their first act, after having been placed in power again, is to show contempt for that Province to which they have been so deeply indebted.

Hon. Mr TRUDEL—I did not expect that such a delicate question would be raised on the Address, in reply to the Speech from the Throne. However, I recognize the perfect constitutionality of bringing up such a matter in this debate. I thought some opportunity would be given to the gentlemen representing the Government in this House, to offer some explanations respecting the representation of this Chamber in the Cabinet. In saying this I do not wish to cast any blame on my hon. friends for touching upon the question in this debate. If I could have foreseen that the debate would have taken this turn I would have endeavored to prepare some data suitable to the occasion. I join cordially in the feelings expressed by the hon. gentlemen who moved the Address, but I cannot help, at the same time expressing regret that an important element in this House has been excluded from representation in the Cabinet. I understand perfectly well the difficulties attending the formation of a government. Situated as we are, the Confederation being composed of so many Provinces, and so many conflicting elements of population, it is difficult to distribute the portfolios fairly. I freely admit, that however well disposed the Government may be to do justice to all, it is impossible to form a Cabinet in such a way as to satisfy everybody. So far as the personnel of the Cabinet is concerned, the selections which have been made, even from our Province, could not have been better, and I have full confidence in those gentlemen. I can only regret that the Government did not manage to

give the French speaking members of the Senate a representation in the Cabinet. I would say more: that I believe the interests of this House at large and of the principle which the Senate represents, have been, to a certain extent, overlooked in this matter. It would have been easy to have found a representative French speaking member of this House; and I go further and say it was a constitutional necessity. The Government is obliged to have one of its members in this House in a position to make such explanations of their policy as may be necessary. I admit the qualifications of the hon. gentleman who leads this House in that respect. He knows and speaks the French language with great facility, but this House knows that we have not the pleasure to hear him in that language, and, constitutionally speaking, that is not enough. The representative of the French speaking members should belong to their nationality. If it is not our right to have such a representative, the policy of the Government cannot be fully discussed in this House in the French language, and then that language is not on the same footing as English in the Senate. It is a violation of the spirit of the Constitution. I feel great delicacy in dealing with such a question here, and I admire the courage of my hon. friend on the other side (Mr. Bellerose) who brings such questions up as often as he believes it to be his duty. He is like the old soldiers of the middle ages who did not fear anything, and cast themselves into the melee without any regard to consequences. I quite understand that it would be more satisfactory to the majority in this House, if only one language were used, and it must be rather annoying to them to lose a certain amount of time in the translation; and that, perhaps, they look with a little uneasiness to the extra expense caused by the translation and publication in two languages of all public documents. But, whatever their feelings may be on this question, I hope they will always bear in mind that, for the representatives of the French element in this Dominion, it is not a mere question of taste and convenience, but a question of duty. We are not allowed to give up any of our rights, or abandon any portion of the position in which we stand here, however small it may be. We are always ready to do our best to facilitate the business of this House, and the exertions that we make every day to speak the language of the majority, however imperfect our knowledge of it may be, shows that we are ready to go as far as possible in that direction. This explains why we are so sensitive on these questions. I do not believe it has ever seriously entered the mind of any hon. gentleman in this House to abolish the use of the French language in Parliament, or the whole Dominion; but if such an idea should ever occur to anyone, I would say to him it is perfectly useless to entertain it. At one time the French element was very weak. It was a mere handful of individuals on this continent, and yet it never hesitated to defend its rights. Now that the liberality of England has recognized our rights on this point, it is not likely, when we count our people by millions, that we will abandon a particle of what is due to us. I say that, it being our constitutional right to have the debates conducted in French in this Senate, it is equally our right to have on the Treasury benches members of the Cabinet in a perfect position to answer any question which may be put to them, and to conduct a debate in the French language just as well as in the English. Claiming such a right as that, we say that in the ordinary debates we will always be ready to do our best to facilitate the transaction of business, and not annoy our brother senators with a language that is not familiar to them.

Now, I will go a little further and say that in the formation of the Administration, I do not think that a due proportion has been granted in the distribution of portfolios to this hon. Senate. I join with the mover of the Address, in the congratulations which are expressed on the arrival of the Governor-General and his Royal Consort. But in this happy event, I see something more than the great honor conferred upon us by Her Majesty; I consider that it not only displays the interest which the Queen takes in the Dominion of Canada; the arrival amongst us of a Princess of the royal blood is intended to strengthen the conservative principle, the principle of royalty to which we, as Conservatives adhere, and which we desire to have pre-

served in this country. It is chiefly from this point of view that those who share my political opinions, and belong to the same origin as myself, have rejoiced in the arrival here of Her Royal Highness Princess Louise. Well, hon. gentlemen, I regret that the present Government, in the distribution of seats in the Cabinet, have shown a tendency to weaken the conservative principle in this country, and thereby, contributed to neutralize the effect which the Imperial Government had in view, that is, the consideration of the Conservative principle in Canada. In the former Conservative Administration, not less than three members of the Cabinet had seats in this House, and the Liberal Government of Mr. Mackenzie had two, of whom one has always been a gentleman speaking French. Though I recognize the great advantage to us of giving our Speaker a seat in the Cabinet, I think it would have been easy for the Government to have added another seat, and given so much strength to the principles we represent here. In the addition of the name of the Speaker of this House to the Government, I see a recognition of his services in advocating a protective policy in this Dominion. And for this I cannot but congratulate the Government. It is understood that our Constitution is framed on that of England, and that we ought, to as great an extent as possible, to copy as closely as we can the British Constitution as it works in England. I have made some research to find the proportion of seats in the English Cabinet which have been given to the Upper House during a certain number of years, and I think you will all come to the conclusion that in this respect we are far from having followed the example given to us in the working of the English Constitution. I find that former ministries in Great Britain were divided between the two Houses as follows:—In 1760 the Ministry was composed of fourteen members, of whom thirteen belonged to the House of Lords; in 1801 there were fourteen members—nine in the House of Lords and five in the House of Commons; in 1804 the Cabinet was composed of twelve members, ten of whom were in the House of Lords, and two in the House of Commons; in 1809 the Cabinet consisted of ten members—six in the Lords, and four in the Commons; in 1812 the Cabinet was composed of twelve members, ten of whom were in the Lords and two in the Commons. Modifications were made in 1818 and 1820, by which the proportion was nine to four, eight to six, and nine to six. In 1859, under the Administration of Lord Palmerston, and for the first time, the number of the Lords in the Cabinet was so small as five, while there were nine Ministers in the Commons; but immediately after, under the same leader, in 1863, the Government was composed of eight members from the Lords and seven from the Commons. In 1866, under the Administration of Lord Derby, the Cabinet was composed of fifteen members, seven of whom were Lords. In 1869 there was a change in the same Cabinet, by which nine members of the Government were in the Upper, and six in the Lower House. No one will pretend that the Administration of Gladstone was not liberal enough, yet we find that in 1868 the majority of the Cabinet were in the House of Lords. Coming to the present Cabinet, I had occasion to refer to the views of Lord Beaconsfield on this subject. His opinion was that the seats in the Cabinet should be distributed as equally as possible between the two Houses, and he has strictly respected this principle in the formation of the present Administration. Of the twelve gentlemen who form his Ministry, six are members of the House of Lords, so that if we have any reason to say here in Canada that it is our interest, and our duty, to copy as closely as possible the constitution of England, and its working in England, let us imitiate it in this respect also. Mr. Todd, who represents in his work very correctly the constitutional doctrine of England, says :—

"The Cabinet is virtually a standing committee of the two Houses of Parliament, being respectively members of the Upper and Lower Houses, and preparing and conducting much of their business. As combining the two characters, they may be deemed a small and select body, to whom the sovereign Parliament, (which consists of King, Lords, and Commons) delegates its principal functions." 2 Todd, P. 142, Parliamentary Government in England.

I find also in "Gray's Parliamentary Government," about the same opinion, which is also expressed by Lord Macaulay in his "History of England." "The

Ministry is in fact a committee of the leading members of the two Houses." (See Macaulay, vol. iv, p.p. 435 and 436; and "Gray's Parliamentary Government," new ed. p. 23.) If it is true that the Government is a standing committee of both Houses? I ask, in a country like this, where there are two nationalities, if it is constitutional to form such a committee, without allowing a single representative of one of those nationalities in this House to be a member of that committee? I do not pretend that the present Administration is more guilty in this respect than any preceding Government. The fault, however, rests more with this House than with the members of the Government, because it is a fact that for many years we have allowed everything that has been done against us to pass without even a protest, in many instances. It is now the fashion to belittle the Senate, and if the Senate does not take up its cause—the cause of the Constitution—we must not be surprised if gentlemen in another place consider their House is all important, while this House is of no consequence whatever. Since Confederation, and in the course of two or three years, no less than six members of this House, belonging to the Province of Quebec, have resigned their seats to improve their positions. Four of them left us to accept the positions of Puisne Judges in our Province, and two for election to the House of Commons. And why? Because they found the feeling existing in this country did not afford them scope for their ambition in this House. This is an anomaly. If it is true that a man betters his position by going to the other Chamber, we should call it the Upper House, and this the Lower House. This low estimate of the importance of the Senate has unfortunately, always prevailed amongst us. The hon. gentleman will probably remember that in previous sessions, many bills came to us from the House of Commons, that required amendment, amongst others, the bill for the establishment of the Supreme Court. The hon. gentleman will recollect that the leader of the day, in the Senate, thought it scandalous that simple members of this House should attack a bill which had been the work of the great luminaries who sat in the House of Commons. Hon. gentlemen will recollect that this was the language of the Minister of Agriculture, at the time, and he considered it ridiculous that we should undertake to examine, criticize or reject a bill that had been adopted by the other House. This was the feeling that existed to a certain extent, not only in the other Chamber, but also amongst some of the members in this House. When members of the Senate entertain such an opinion of their own body, we ought not to be surprised that members of the Commons should consider that the Senate is a very unimportant factor in the Parliamentary machinery of the Dominion. For my part, I do not consider this matter of the construction of the Cabinet a question of persons. I am ready to admit that it is of very little importance whether Mr. So-and-so should be a member of the Cabinet or not; but I say it is of very great moment that a fair proportion of the members of the Cabinet should be members of the Upper House, because it is the centre of conservative principles. It is in this House we ought to find the greatest number of the guardians of the Constitution; but I contend that if we continue to belittle the Senate, and lead people outside, and even in this Chamber, as well as in the Commons, to believe that the Senate is the receptacle of political mediocrities—a ridiculous assemblage of old men who are not thought fit for any distinguished position in the country, and that in the Lower House, only, are found the men of highest ability—I think the time is not far distant when the question of the abolition of the Senate will present itself, and thus destroy, to a certain extent, the Constitution under which we live. I think it would be very unfair to throw upon the present Government the responsibility of this state of affairs, because I think, to a great extent, it rests on the shoulders of the members of the Senate, who do not think enough of themselves to see that their rights are respected. I consider that we should not allow a single occasion to pass without claiming our rights. It is the only way the Senate can maintain the position it ought to occupy in order to have a proper working of the constitution. I read a few years ago in a book written by the present Premier of England, an expression of opinion that in England the proper spirit of the Constitution seemed to be lost sight

of by a great many public men, and that the democratic element was making such important advances, that in a few years the true spirit of the Constitution would not be understood, even in England. I think this danger, against which the people in the mother country have been warned, threatens us. I think there is a great tendency in this country to forget the true meaning of English institutions, and to consider as good and sound in it, only what we find in republican governments. It is not the time, when the governments of Europe are suffering so much from the abandonment of conservative principles, that we should lose sight of the true principles that ought to guide us. As to what concerns the French language I consider that it is our duty, whatever feeling may exist, and delicate and painful though it is, to press our claims in this matter. We must always recollect that we are not at liberty to make any concession on this point.

Hon. Mr. ALLAN—I do not propose to say anything on the question raised by the hon. gentleman opposite as to the number of the members of the Administration who should have seats in this House, or whether the French speaking members in this Chamber should be represented by a Cabinet minister, but I wish to assure the hon. gentleman behind me, the hon. senator from De Salaberry, who has just spoken, that he does not correctly interpret the feeling of the large majority of the English speaking portion of this House, when he says there is any feeling of irritation or annoyance on our part at the preservation and use of the French language in conducting the proceedings of the Senate. On the contrary I think most of us enter very heartily into the feelings of our French colleagues on that point. We can thoroughly understand and appreciate their attachment to their own language, endeared to them as it is by so many associations, and I think we Upper Canadians feel very strongly that in Lower Canada we have that part of the Dominion which is most rich in historical associations, of the deepest interest, and which are the common heritage of all Canadians. Anything therefore that can tend to preserve these associations or connect us with them in any way, we, as Canadians, would all desire to maintain. We must all feel, too, that in an Assembly like this, and on such an occasion as the moving of the Address in answer to the Speech from the Throne, it is most gratifying to find gentlemen speaking in the French language, in the most eloquent terms, asserting their loyalty and attachment to the British Crown. I think it is a proud and noble thing that in the Parliament of Canada we should have the descendants of the early Colonists from old France, speaking in their own language, and expressing no less strongly than their English speaking fellow subjects, their fidelity and attachment to the British Crown and the United Empire, and I would very much regret if the day should ever come when the proceedings in this House should cease to be, as they are now, rendered into the French language; or we should cease to hear the tongue of old France spoken by her descendants in the Senate of Canada.

Hon. Mr. PELLETIER—It is not my intention to prolong the debate or to oppose in any way the passing of the address, or criticise any of its paragraphs, as nearly the whole of them seem to me unobjectionable. I cordially unite with all the members of this House in expressing gratification for the great honor that we all enjoy in having appointed to preside over the Dominion, distinguished a man as His Excellency, the Marquis of Lorne, and for the very gracious favor conferred upon us by Her Majesty in kindly allowing her beloved daughter, Her Royal Highness the Princess Louise, to come among us for a period of time which we all hope will be a very long one. The well known loyalty of the French Canadians cannot fail to increase, if possible, for this great favor. I would have been much pleased to have seen the Address passed without discussion; but a very important and delicate question having been brought up, I believe I am bound to make a few remarks. I would be the last member of this House to raise the question of nationality, because I believe we should all now live as citizens of one great country. But on this point I cannot keep silence, and I must congratulate the hon. gentlemen on the other side, who had the courage to protest against what they call, and

what I think is, a great injustice to the French population of the Dominion. I sincerely regret that we have to complain of such an infringement of our rights. We have been deprived of the right due to us, and which has been acknowledged by all previous Cabinets, and I may assure hon. members on the other side who spoke so strongly on this matter, that we on this side feel as deeply as they do on this question, and unite in protesting against the action of the Government. Though I am very much pleased to see three members of this House forming part of the Cabinet, I should have been gratified if His Excellency had been advised to give to the French members of the Senate a representative in the Government. I believe it would have been very easy for the hon. Premier who was called to form the present Administration, to find among his French friends in this House several gentlemen well qualified to enter the Cabinet; but I accept with pleasure the assurance of the leader of the Government that it is a matter of regret to him that the omission has occurred. His courteous manner towards myself particularly, and towards every French member of this House, makes me believe it; but I cannot help regretting, at the same time, that such a gross injustice has been done to the Province of Quebec, and entering my protest against it.

Hon. Mr. ALEXANDER felt that he should be wearying the House in prolonging the already lengthened debate on the Address. In claiming the kind indulgence of hon. members, to offer some very brief observations, he did not feel that it was necessary to add anything to what had been said by his hon. friend from Toronto, respecting the non-appointment of a member of the Administration from the Province of Quebec in this Chamber, nor did he purpose referring *seriatim* to the various subjects set forth in the speech from the Throne, which had been discussed with so much tact and ability by the mover of the Address. But he felt it incumbent upon him, at so critical a moment as this, to express some of his own convictions, which he believed to be in accord with widely extended public sentiment, respecting the present state of our public affairs. Never, perhaps, has the Parliament of this country been convened with graver responsibilities resting upon it. We meet under circumstances which, he was sure, must impress the Legislature and the Government with the necessity of proceeding with the greatest care and statesmanship in dealing with the evils which cloud our whole horizon. If a mariner were required to express his view of the position, he would exclaim that we had been drifting steadily amongst the breakers, and were not very far distant from the strand, and we could not but concur with the opinion of the hon. gentleman from British Columbia, who moved the Address, that it was a subject for general congratulation—that we had cause for great thankfulness that the enlightened people of this Dominion, in their wisdom, had placed at the helm, at such a moment as this, the ablest and most experienced of our public men; not that he (Mr. Alexander) desired to reflect in any way upon the late Secretary of State, or his colleague, who represented the late Administration in this Chamber. At their hands we met ever with the greatest courtesy, and the late Secretary of State displayed unceasing assiduity and talent in the discharge of his heavy and responsible duties. But the late Government had, in almost their whole administration, disappointed the country, to which we need not now advert, and the result has been that confidence in the future of the Dominion was becoming temporarily impaired. Of one fact there can be no doubt, that since 1872 our country has become greatly impoverished, We have witnessed in every city and in every district, men of the greatest astuteness and enterprise signally fail in their undertakings. It seemed as if the greater the enterprise, the more certain their disappointment, and, in many branches of trade, their total ruin. What can be more distressing than to witness some of the best of our citizens overwhelmed by reverses which no ordinary foresight could avert, and, as a natural, consequence their enterprise paralyzed? And it is not only amongst the employers, but the employed, that we find much distress and suffering. We can, then, easily understand how, under such a general impoverishment of all classes, and stringency and contraction of trade, our banking institutions should have been deeply affected

and how we continue to find a large deficit in the revenue of the country. Now, I might venture to proceed to state what I think is expected of the new Administration. As was very properly observed by the leader of the Government in this Chamber yesterday, they cannot meet the views of every one, but they are resolved to devote their best energies to restore general prosperity to all interests and all branches of trade, as far as it is in the power of any government to foster and afford aid, and to bring our financial affairs again to a sound position. What is desired is, that we should try to hold our own against the astuteness of our American neighbors, encourage every home and domestic industry by such a readjustment of the tariff as will not stimulate an excessive and ruinous competition amongst our own people, but such a healthy competition as, while creating no monopolies, will ensure a fair prospect of prosperity to the manufacturer, and largely extended employment to our citizens. It is further desirable that our Government should at once, by their policy, try to regain the domestic and foreign trade which has been snatched from us. It is further desired that all unnecessary expenditure should be cut down. We are not a wealthy country. It is true that we have made giant strides in our progress and growth. But our machinery of government is too expensive, and, in some instances, unnecessarily extended, for only four millions of people. The federal system, with so many legislatures and governments for so small a population, can only be worked successfully by exercising the most rigid economy—one much more rigid than is now practised. The late Government appeared to forget this principle in some of their extensions of expenditure. Surely, a royal military school, involving a large annual amount, although excellent in itself, and in its staff of instructors, might have been postponed until we had the neucleus of a standing army, however small. Surely, any government required for the Northwest Territory, could have continued to be successfully accomplished through the Governor of Manitoba, with the Mounted Police Force and a Stipendiary Magistrate at Battleford, for some years to come, without the appointment of a costly governor and government buildings, and all the accompanying staff. Then, again, with the commercial reversion of our affairs staring us in the face,—with large annual deficits, might we not have postponed the establishment of a Supreme Court, so costly an institution, until we had attained to somewhat larger growth. The judges of that court are, doubtless, men of the highest qualification and attainments. But with all our appelate courts before existing, of which there had been no complaint, there was no pressing necessity at the moment. The First Minister of the present Government, Sir John Macdonald, pursued the proper course of maturing, from session to session, the legislation for that Court, but showed his care of the public money by postponing, from year to year, until the proper moment arrived, the establishment of the Court. Then, again, the Senate will, I am sure, labour with all its might, to prevent any unnecessary new public works being entered upon, which do not promise a certain corresponding increase of population, trade, and revenue. How unwise of the late Government, issuing contracts for such a premature work as the Georgian Bay Branch Railway. And now I will only, in conclusion, touch one other point, because I am sure that the patience of this House has been exhausted by the length of the debate. I am sure that you will agree with me that it is in the interests of this country that we should ever endeavor to sustain and protect the large interests already existing, and especially those to which we owe so much of our past commercial expansion. I simply ask every honorable member from the Provinces of Ontario and Quebec, to reflect how much the material wealth and growth of their country has been promoted by those great leading arteries of commerce, the Grand Trunk, Great Western, and other such public works. The shareholders of these roads, no doubt, put their millions sterling into these works with the hope of getting a return. These railways have built up the country. We have derived all the benefit, while the share capital of neither of these roads is paying any dividend. Such companies, notwithstanding this, serve our interests of trade, by maintaining their roads perfectly equipped, and surely it should be the interest of our Government and people, if it were only from feelings of gratitude for the services

which these roads have already rendered, to see such companies receive every legitimate consideratien, and opportunity of earning their way. Now, I cannot but think that we were not guided by this principle last session, when we were called upon to pass an Act of Parliament, placing Mr. Vanderbilt and his railway confreres of the New York Central in complete possession of the Canada Southern, thereby enabling him to sweep from our own trunk lines of railway, the lion's share of through freight and passenger traffic from Chicago, eastward. Surely we have statesmanship and patriotism enough to protect our own railways against such foreign aggression. It sometimes appears to me that we act as if we did not feel that we had a deep interest is maintaining first-class railways through our Dominion. Then, again, how have we seen one of our local governments aiding and fostering an undue number of competing lines to these leading trunk lines, the certain effect and result of which will be that no well equipped railway can live. The people, surely, know that no railway can be properly run without fair and just earnings. Our people have been greatly misled by a few designing men, to launch our municipalities into debt, to multiply such competing lines beyond the wants of the country. We are thus rolling up rapidly the public burdens, and, I fear, in many instances, to accomplish no good, but to bring about wide-spread disaster in certain quarters. If we are to make the general well-being and the prosperity of all our interests, our study and object and aim, we must in the future act upon sounder and broader views. And how important it is for the future of the Dominion, that we should continue to retain amongst British capitalists our good name for fair and even-handed justice, and for the proper protection of vested rights and interests. I have now to apologize for having occupied the attention of this House so long.

Hon. Mr. PENNY—I had no intention of saying anything on this occasion, because I think the Speech is one that might have been allowed to pass in the usual manner, but a question has been raised on which I, as a Lower Canadian, and an English-speaking member, should say a word. With regard to the use of the French language in this Chamber, I entirely agree with the expressions which fell from my hon. friend from Toronto, and I believe they could not have been better said. I think we are all quite as well pleased to hear the French language spoken as to hear our own, but, while that is true, I must agree with my hon. friend opposite, in thinking that Lower Canada ought to have been represented on the Ministerial benches in this House. As for myself, I know the position of the English-speaking senators from Lower Canada too well, to suppose that any of us is ever likely to be a member of a Ministry; and, therefore, I can have no personal motive in saying what I do, but I think that some Quebec senator, be he of English or French race—but, as a matter of fact, he must be a French Canadian—should be a member of the Cabinet. I should not be doing my duty to my Province, nor to that large population which, in some respects, I am supposed to represent, nor to myself, if I did not say as much as this on the subject.

Hon. Mr. BUREAU—I feel impelled to join my reasonable protestation to the just and legitimate protests which we have just heard in this Chamber, and in which complaint is made, that neither the French Canadian people, nor our co-religionists, have a representative on the Ministerial benches in the Senate. On more than one occasion already, we have shown that whenever an attempt has been made to lower our social, religious or political position, we have been united as one man without distinction of party. We do not wish to rule, but we will not allow ourselves to be domineered over. We merely claim the rights which we have acquired, and which have been confirmed by custom. Ever since Confederation, French Canadians and our co-religionists have been invariably, and I may add, creditably, represented in the Senate. We wish it to be thoroughly understood, that we are only expressing the opinion of the people of Quebec, who demand equal justice and equal rights.

The resolution was then adopted.

Ordered, That the said Address be presented to His Excellency the Governor

General, by such Members of this House as are Members of the Privy Council.

THE DEATH OF THE PRINCESS ALICE.

ADDRESS OF CONDOLENCE.

Hon. Mr. CAMPBELL moved,

That an humble Address be presented to Her Majesty the Queen in the following words:—

To the Queen's Most Excellent Majesty,

Most Gracious Sovereign:

We, Your Majesty's dutiful and loyal subjects, the Senate of Canada in Parliament assembled, humbly approach Your Majesty with the renewed assurance of our devoted attachment to Your Majesty's Person and Government.

In common with Your Majesty's subjects in all other parts of Your Empire, we have learned with profound grief of the great loss which Your Majesty has sustained in the early death of Her Royal Highness the Princess Alice, Grand Duchess of Hesse.

We take the first opportunity, which the assembling of the Parliament of Canada affords, to express for ourselves and for the people whom we represent, our heartfelt sympathy with Your Majesty in your sorrow.

Though removed by distance from the scenes where the life of Her Royal Highness was passed; the goodness and beauty of her character and her affectionate discharge of every duty, as daughter, wife and mother, were not unknown to us, and we have been inexpressibly touched by the narrative which has reached us of the loving self-sacrifice which marked her death.

We should fail, may it please Your Majesty, properly to convey to you the common sentiment of your Canadian subjects, did we not add the expression of our earnest hope that Your Majesty may find consolation in Divine aid, and in the reflection that your illustrious daughter did not live in vain; but has bequeathed to her countrywomen all over the world, an example which will nerve them to emulate her high sense of duty, and a memory which will be cherished wherever courage and devotion hold place in human affections.

He said: I am sure we shall all be prompt to adopt the Address, of which I have given notice. I think, perhaps, there is nothing so remarkable in the reign of Her Majesty, as the universal affection which she has all along from the beginning of her reign, commanded from her subjects in every part of the Empire. We seem, and I have no doubt, in a manner which must be very gratifying to Her Majesty, in all parts of the Empire, to enter into her joys and her sorrows, in a way which, perhaps, few other sovereigns have ever felt the sympathy of their subjects. It has been the fortune of this House to address Her Majesty in words of congratulation on many happy events. It is now our duty, a duty which we discharge, at all events, with prompt earnestness, to condole with Her Majesty on the first death which has occurred amongst her children, the death of Her Royal Highness, the Princess Alice. It is undoubtedly true, as stated in this address, that the life of Her Royal Highness was passed far away from us, and far away from any possibility of intimate knowledge of her character; but I think we know enough, through the ordinary channels of information, sufficient of her life, to lead us to adopt very readily the language of this Address, and to speak of her in very high terms. It is in the knowledge of members of this House, how earnestly and affectionately she waited upon Prince Albert, her father, during his last illness. It is also in the knowledge of the House how she discharged her duties to the Prince of Wales, in his serious illness of a few years ago; and now she seems to have sacrificed her life in attending her own children. Her career was marked by the most exalted benevolence, exhibited in a most touching way in the Franco-German War; and I think the language I ask the House to adopt, does not at all over-express the feelings of the House towards her as daughter, wife and mother. I do not think that I should venture now, when a sister of Her Royal Highness occupies the exalted position which she does in this country, to speak more in detail of the virtues which distinguished her; and I am quite confident the House on all sides will be prompt to endeavor to convey to Her Majesty, such consolation as we can give, in our humble way, through this address. I have great gratification in knowing that this address will be seconded by the hon. gentleman who leads the other side of the House.

Hon. Mr. SCOTT—In seconding the Address to Her Majesty, I am sure every hon. gentleman entirely concurs in the

language which has fallen from my hon. friend. I feel that it echoes truly the sentiments of the people of Canada. When it was announced through the press that Her Royal Highness was in imminent danger, very great anxiety was manifested in Canada, and intense regret followed the announcement of her decease. Her Royal Highness was singularly happy in deserving that highest title—a noble woman. Persons in her exalted position usually perform their charities vicariously, but it is notorious that Her Royal Highness extended her charities in person, and the very best proof of that, is the deep sorrow which prevails among all classes of society in Darmstadt, and among those professing different religions. The churches and chapels within the Duchy, at the time of her illness, were thronged with people, all calling for the intervention of Providence to prolong her life. All these facts go to show that hers was a noble character. This address expresses the sentiments of the people of Canada, and the feeling of condolence with Her Majesty in this, the first great loss she has sustained, since the death of her Consort, Prince Albert.

The address was adopted.

Ordered, that the said address be engrossed, and signed by the Speaker on behalf of the House.

Hon. Mr. CAMPBELL moved,

That a message be sent to the House of Commons by one of the Masters in Chancery, to acquaint that House that the Senate has adopted the said Address to Her Most Gracious Majesty, and to request their concurrence.

The motion was agreed to.

The House adjourned at 5 p.m.

THE SENATE.

Wednesday, February 19th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayer and routine proceedings.

THE ROYAL INSTRUCTIONS.

MOTION FOR A RETURN.

Hon. Mr. BOTSFORD moved,

That an humble Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to communicate to the Senate copies of His Excellency the Governor-General's Commission, and such portions of the Royal Instructions which accompanied the same as His Excellency may deem it consistent with the public interests to communicate.

Hon. Mr. CAMPBELL asked his hon. friend to withdraw the motion, as he held in his hand a message from His Excellency the Governor-General, transmitting the papers required.

The motion was withdrawn, and the message was read.

DISTRIBUTION OF SESSIONAL PAPERS.

Hon. Mr. RYAN called the attention of the House to the fact that only one copy of the Minutes of Proceedings and of Bills was distributed to each senator. Now with every desire to see economy practised in every department of the public service, he thought that this was a very small allowance for members of this House. He read a letter from Mr. W. J. Patterson, Secretary of the Montreal Board of Trade, requesting him (Mr. Ryan) to mail to him, as distributed, a copy of each of the public documents. Mr. Patterson was a gentleman who published a great deal of useful information on monetary affairs, and the statistics of the various provinces, and these documents would be useful to him. He (Mr. Ryan) was obliged to inform that gentleman and anybody else who might make a similar request, that as only one copy was distributed to each member of this House, he would be unable to comply with their wishes. It might be said that by application to the Clerk or to the Private Bills Committee, extra copies could be obtained; but it was decidedly unpleasant for members of this House to be obliged to ask favors in this way. He thought arrangements should be made by which extra copies could be procured by those who desired them. He anticipated there would be a large demand for copies of the Tariff Bill, especially from the large commercial

cities; and hon. gentlemen representing such important districts should be put in possession of extra copies to supply such demand. The convenience and necessities of the country should be considered as well as the economical views of the Printing Committee.

Hon. Mr. AIKINS said that every member of the Senate must be aware of the circumstances under which the report of the Printing Committee had been adopted last session. The gentleman who had corresponded with his hon. friend made large demands upon him; and if similar applications were made to every member of the Senate, there would have to be a very much larger number of the public documents printed. However, when the Printing Committee was formed, the representations of the hon. gentleman would be borne in mind; and, in case of the Tariff and other important bills, a larger number than usual might be printed and distributed to meet the requirements of both Houses, and of the public generally, who might desire to peruse them.

The House adjourned at 3.30 p.m.

THE SENATE.

Thursday, February 20th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE STANDING COMMITTEES.

A NEW COMMITTEE FORMED.

Hon. Mr. CAMPBELL submitted a list of the proposed Select Standing Committees of the House, and, in doing so, he remarked that it had occurred to him, as well as to other members of the House, that some of the committees were too large, particularly the Committee on Banking and Commerce. He thought it judicious that it should be divided, and had formed a new Committee, to be called the Committee on Railways, Telegraphs and Harbors. The Committee would take Bills relating to those subjects from the Committee on Banking and Commerce. By this means the business of the House would be greatly expedited, especially towards the close of the session.

Hon Mr. BOTSFORD said it seemed to him the greatest difficulty that had been experienced in the past, was the fact that some hon. gentlemen were on too many committees, and he thought this should be obviated in the future.

Hon. Mr. CAMPBELL concurred in this opinion, and said he had endeavored to divide the committees in such a way as to distribute the work more evenly. No member of the House was on more than three committees, and some were not even on two.

The subject then dropped.

A PROPOSED ADJOURNMENT.

MOTION DEFEATED.

Hon. Mr. BUREAU moved, that when this House adjourns on Friday next, it do stand adjourned until Tuesday, the fourth of March, at eight o'clock in the evening. He said he believed he was justified in making this motion, considering that the Senate would have nothing to do during the time specified in the resolution, as no business could come up from the other House. If his motion should be carried, there would only be five working days lost. It was customary in the British House of Lords to have such adjournments, and he pointed out that on one occasion that body had adjourned from the 29th of May to the 9th of June.

Hon. Mr. DICKEY—They adjourned for the races.

Hon. Mr. BUREAU said that was quite true, but it was none the less an argument in favor of his motion. The only objection he had ever heard raised to such a motion as this in former sessions, was conveyed in the words, "what would the public say?" In reply to this he would remark, that the public did not expect this House to be in session when it had nothing to do, and, moreover, they

knew that there could be no business before the Senate until it came up from the House of Commons.

Hon. Mr. ALEXANDER expressed regret that this motion had been made. Parliament had assembled under very grave and critical circumstances, and there were questions coming up, during the time covered by this motion, which were of the utmost importance to the public. The Senate should not neglect the important duties which they were expected to discharge, and if they should adjourn at such a time as this, it would seem as if they took no interest whatever in the great questions affecting the Dominion.

Hon. Mr. FERRIER said he had seconded the motion, thinking that there would be no debate upon it. The Government were the best judges as to whether the business of the House would suffer by the adjournment, and if they did not oppose it, he did not see what objection there could be to it.

Hon. Mr. DICKEY said he had often ineffectually protested against such motions, and, on this occasion, he was glad to find that the duty of opposing this resolution had fallen on other shoulders than his. The reasons given by the hon. gentleman who had introduced the resolution, would not bear investigation. Notice had been given of important questions to be discussed next week, and, in addition to the Bills which might come up from the other House, it was highly probable that some would be originated in the Senate. There was no precedent for an adjournment before the House was fully organized for business; and, as hon. gentlemen knew, the committees had not yet been appointed. He hoped the Government would be able to make some announcement as to whether they had any measures to introduce in this House before the 4th of March. They (the Government) should be prepared to take the responsibility of guiding the House in conducting the public business, and of saying whether such an adjournment could be made with a due regard to the public interests.

Hon. Mr. CAMPBELL said it was his anxiety and expectation that some of the business of the Government which was shadowed forth in the Speech from the Throne, would be introduced in this branch of the Legislature in the course of next week. He could not say with frankness that the adjournment would have a prejudicial effect upon the public business, but he would say this on behalf of the Government, that they did not take the responsibility of asking the House to adjourn. On the contrary, he would ask the House to continue in session, so as to be prepared to transact whatever business might come before it.

Hon. Mr. HAYTHORNE rose to enter his protest against an adjournment so early in the session. It would be impossible to say what causes might arise in the proposed recess of twelve days, calling for the attention of the Senate. Last year there had been some important committees, whose business extended over quite a long period. Sometimes two committees upon which the same members were serving, were obliged to sit on the same day, and the reports of these committees were not presented until the last day of the session, thus crowding the consideration of the result of their labors into a very short space of time. It seemed to him that it would be very derogatory to the dignity of this House, if, after coming from all parts of the Dominion, and sitting only for two or three days, they were to adjourn for such a long period; and he protested against anything of the kind.

The motion was declared lost.

The House adjourned at 3.45 p. m.

THE SENATE.

Friday, February 21st, 1879.

The SPEAKER took the chair at 3 o'clock.

Prayers and routine proceedings.

A PROPOSED ADJOURNMENT.

MOTION ALLOWED TO STAND.

The order of the day having been called:

That when this House adjourns on Tuesday next, it do stand adjourned until Tuesday, the fourth of March, at eight o'clock in the evening,

Hon. Mr. PENNY asked that it be allowed to stand until Monday. Unless he saw, between this and the next sitting of the House, a more general disposition than appeared at present for an adjournment, he would not move it even then.

The order was allowed to stand.

The House adjourned at 3.15 p.m.

THE SENATE.

Monday, February 24th, 1879.

The SPEAKER took the chair at 3 oclock.

Prayers and routine proceedings.

THE ICE PIER AT SOREL.

MOTION FOR A RETURN.

Hon. Mr. GUEVREMONT moved :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all petitions, correspondence and Reports of Engineers, Orders in Council, and other documents having reference to the building of an ice pier (brice-glace) on River St. Lawrence, along the Concession called Chenal du Moine, in the Parish of Ste. Anne de Sorel, forming heretofore part of the Parish of St. Pierre de Sorel.

The motion was agreed to.

THE STANDING COMMITTEES.

THE LIBRARY OF PARLIAMENT.

Hon. Mr. CAMPBELL moved—That the Honorable Messrs. Alexander, Allen, Baillargeon, Boucherville de, Bourinot, Campbell, Chapais, Christie, Cornwall, Fabre, Ferguson, Haythorne, Montgomery, Reesor, Ryan, Scott, Stevens, Trudel and Wark, be appointed a Committee to assist His Honor the Speaker in the direction of the Library of Parliament, so far as the interests of this House are concerned ; and to act on behalf of this House as Members of a Joint Committee of both Houses on the Library.

The motion was agreed to.

Ordered, That the foregoing Resolution be communicated to the House of Commons by one of the Masters in Chancery.

BANKING AND COMMERCE.

Hon. Messrs. Aikins, Bellerose, Benson, Botsford, Brown, Campbell, Chinic, Hamilton, (Inkerman), Hamilton, (Kingston), Hope, Lewin, McMaster, Macpherson, Miller, Northup, Paquet, Pelletier, Power, Ryan, Simpson, Skead, Smith, Thibeaudeau, Trudel, Vidal and Wark, were appointed a Committee on Banking and Commerce.

RAILWAYS, TELEGRAPHS, AND HARBORS.

Hon. Messrs. Alexander, Allan, Bureau, Boucherville de, Campbell, Chapais, Christie, Cochrane, Cornwall, Dickey, Ferguson, Ferrier, Hamilton (Inkerman), Kaulbach, Leonard, Macdonald, McLelan (Londonderry), Montgomery, Muirhead, Paquet, Price, Scott, Skead, Stevens, Sutherland and Vidal, were appointed a Committee on Railways, Telegraphs and Harbors.

STANDING ORDERS AND PRIVATE BILLS.

Hon. Messrs. Aikins, Allan, Archibald, Armand, Bellerose, Botsford, Bourinot, Brouse, Campbell, Christie, Cornwall, Dever, Dickson, Girard, Glasier, Grant, Guévremont, Haviland, Haythorne, Howlan, Macfarlane, Miller, Montgomery, Northup, Odell, Pàquet, Pelletier, Power, Pozer, Read, Reesor, Scott, Sutherland, Trudel and Vidal, were appointed a Committee on Standing Orders and Private Bills, with power to examine and enquire into all such matters and things as may be referred to the said Committee, to report from time to time, their observations and opinions thereon, and to send for persons, papers and records.

CONTINGENT ACCOUNTS.

Hon. Messrs. Alexander, Armand Botsford, Brown, Campbell, Carrall, Chaffers, Cormier, Dickey, Dickson, Dumouchel, Girard, Grant, Hamilton (Inkerman), Leonard, McClelan (Hopewell), McLelan (Londonderry), Macfarlane, Macpherson, Miller, Pàquet, Penny, Pozer, Read, Ryan, Scott, Seymour, Skead and Smith, were appointed a Committee to examine and report upon the Contingent Accounts of the Senate.

PRINTING.

On motion of the Hon. Mr. CAMPBELL, it was

Resolved, That the Hon. Messrs. Aikins, Brouse, Bureau, Carrall, Cochrane, Fabre, Ferrier, Haythorne, Kaulbach, McClelan (Hopewell), Macfarlane, Odell, Reesor, Simpson and Wark, be appointed a Committee to Superintend the Printing of this House during the present Session, and be instructed to act on behalf of this House with the Committee of the House of Commons, as a Joint Committee of both Houses on the subject of Printing.

Ordered, That the foregoing Resolution be communicated to the House of Commons by one of the Masters in Chancery.

THE DEBATES.

Hon. Messrs. Alexander, Bellerose, Brown, Bureau, Campbell, Dickey, McClelan (Hopewell), Macpherson, Miller, Pelletier, Penny and Power, were appointed a Committee to enquire into the best means to be adopted to obtain correct Reports of the Debates and Proceedings of the Senate, and for the publication of the same, and to report from time to time their views to the House.

THE PROPOSED ADJOURNMENT.

MOTION DEFEATED.

Hon. Mr. PENNY moved:

That when this House adjourns on Tuesday next, it do stand adjourned until Tuesday, the fourth of March, at 8 o'clock in the evening.

He said when the last motion on this subject failed, he had been requested to propose it again to-day. He did not desire, as a re-representative of the Province of Quebec, or personally, that it should be understood to come from them only, and unless an hon. gentleman from some other province would second the motion, he would not press it. He had been assured that representatives from Ontario also desired that the adjournment should take place, and, under the circumstances, he would proceed with the motion.

Hon. Mr. SMITH had great pleasure in seconding the motion. Next Wednesday would be a public holiday, and the business of the country could not suffer any by the proposed adjournment.

Hon. Mr. DICKEY called attention to the fact that the leader of the Government in this House had stated, when this motion was made last Friday, that he expected to introduce bills in the Senate this week. There were also important notices on the paper, and, in consequence of the expiration of the time for receiving petitions for private bills, an extension would be asked for this week He was therefore, opposed to the adjournment.

The motion was declared lost on a division.

THE DEATH OF THE PRINCESS ALICE.

AN ADDRESS TO HIS EXCELLENCY.

A message was received from the House of Commons informing the Senate that they had agreed to the Address to Her Majesty on the death of the Princess Alice, Grand Duchess of Hesse.

Another message was received from the House of Commons informing the Senate that they had passed an Address to His Excellency the Governor General praying that he would transmit the Joint Address of both Houses, respecting the death of the Princess Alice, to Her Majesty; and asking the Senate to unite with them in the said Address to His Excellency.

The Address to the Governor General was then read.

Hon. Mr. CAMPBELL moved that the blank in the Address be filled up by inserting the words "Senate and."

The motion was agreed to.

Ordered, That the Honorable the Speaker do sign the said Address on the part of this House.

THE ADDRESS.

A MESSAGE FROM HIS EXCELLENCY.

Hon. Mr. CAMPBELL submitted the following message from His Excellency:

Lorne.

HONORABLE GENTLEMEN OF THE SENATE,—

I thank you heartily for the loyal Address which you have presented to me and for those assurances of support which it contains. I feel

I may rely on your assistance in my efforts to advance the interests and prosperity of the Dominion.

GOVERNMENT HOUSE,
22nd February, 1879.

The House adjourned at 4 p.m.

THE SENATE.

Tuesday, February 25th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

PROTECTION TO AGRICULTURE.

RESOLUTION WITHDRAWN.

The motion of which Hon. Mr. REESOR had given notice having been read,

To Resolve,—That in any re-adjustment of the tariff due regard should be had to the interests of our farming population, and the development of our vast agricultural resources, an interest in which the future greatness of the Dominion is intimately involved, and in which fully eighty per cent. of our entire population is directly interested,

Hon. Mr. REESOR said—Hon. gentlemen, as it is altogether likely that in a very few days the policy of the Government will be announced by the bringing down of the Budget, a discussion upon this question just now would be premature, and, with the consent of the House, I beg to withdraw the motion.

The motion was withdrawn.

THE ADJOURNMENT.

MOTION RE-CONSIDERED AND CARRIED.

Hon. Mr. SMITH—Hon. gentlemen, as it was not generally understood when I seconded the last motion for adjournment, that the Speaker had declared it carried or lost, I will, in conformity with the rules of this House, move that the motion be now put, that when this House adjourns to-day, it do stand adjourned until Monday, the 3rd of March at 8 p. m.

Mr. SPEAKER—It must be with the unanimous consent of the House.

No disapproval having been expressed the motion was put, and agreed to.

PLEURO - PNEUMONIA.

MOTION FOR CORRESPONDENCE.

Hon. Mr. CHRISTIE moved :

That an humble Address be presented to His Excellency the Governor General, praying that he will cause to be laid before this House copies of all Orders in Council, and all correspondence between the Government of Canada and Her Majesty's Imperial Government, and the Government of the United States, on the subject of the importation into Great Britain, of cattle from America. Also, copies of all correspondence with and reports of any officer appointed by the Government of Canada to enquire into the disease of pleuro-pneumonia said to exist among cattle in the United States of America.

He said : In moving for the address of which I have given notice, it is not my intention to go into a discussion on the subject. I wish to get information, and my motive in moving for the production of the papers is also to set at rest doubts which exist abroad. By referring to the agricultural papers published in Great Britain, it will be seen that there is very great misapprehension on this subject. It has even been asserted that no Order in Council of the Government here can have the effect of preventing the introduction of pleuro-pneumonia into the Dominion of Canada, which, I have no hesitation in saying, is utterly absurd. I will not take up the time of the Senate by quoting from those papers, but in the *North British Agriculturist* this is gravely asserted. I think the Government have shown a wise discretion in issuing the prohibitory order which has been passed this month. In fact it was the only means left to prevent the introduction into the Dominion of this dire disease, which, if once introduced, might be very difficult to get rid of. I was also very glad to see, yesterday, in the newspapers, that the Secretary of the Treasury at Washington has at last become alive to the importance of taking steps to prohibit, or rather to get rid of, this terrible disease, which seems to prevail in some portions of the Eastern States. I say "at last," because two years ago he had ample warning as to the danger of the introduction of the rinderpest, which was then prevailing in England. The Secretary of the Treasury had ample warning then, which I myself addressed to him as President of the Cattle Breeders' Association of America, a warning which was then unheeded, a warning

which was repeated at the meeting of the breeders of America, in the following November, at Lexington, Kentucky, when, in pursuance of a recommendation in my address to that Convention, they unanimously adopted a memorial to Congress, asking that there should be organized a Veterinary Bureau as a sort of attachment to the Agricultural Bureau at Washington, from which reliable advice could be obtained, and whose duty it would be to watch over such matters. That warning was also unheeded, and it is only within the last few days, after a Committee of the United States Senate has been sitting and taking evidence on this question, that the Secretary of the Treasury has become alive to the importance of taking this very step which he had been recommended to take some two years ago. I regret to see from the tone of several American journals, that the order of the Government of Canada to prohibit the introduction of American cattle into this country for three months, has been viewed as an act of hostility, selfish hostility, on the part of the Government of the Dominion against the people of the United States. The production of the papers, which I have reason to believe are in the possession of the Government, will dissipate that mischievous delusion, and satisfy the people of the United States that there is no such feeling on the part of any portion of the public of this country, or on the part of the Government of the Dominion.

Hon. Mr. AIKINS—It is very satisfactory to know that the course which the Government has pursued in this matter has met with the approval of my hon. friend opposite. There is no doubt if this pleuro-pneumonia were once introduced into Canada, it would be very fatal to our herds of cattle. In the interests of our own people as well as of those who are engaged in shipping cattle to the mother country, the Government thought they were justified in resorting to the precautions which they adopted, and I have no doubt whatever that the people of Canada will justify the course they have pursued. The papers will be brought down as soon as possible.

Hon. Dr. CARRALL—I have taken occasion to inform myself thoroughly on this subject, and I say without hesitation that the action of the Government can be justified in every particular. On reading the Order in Council, it appeared to me at first sight that it was somewhat tyrannical, because it interfered with the carrying trade to a large extent, but I know that the precautions were not adopted without due consideration, and I am very glad to hear my hon. friend (Mr. Christie), express his approval of the action of the Government.

Hon. Mr. ALEXANDER said that they did not require the assurance of the leader of the Government in this House, to believe that the Minister of the Crown, whose province and duty it was to watch over and guard the interests involved in this question, was fully alive to all the interests affected thereby. They all understood how important it was, if any disease existed in the West, that due measures be taken, to prevent its spreading into any part of the Dominion. Then, it was further important that we should thus secure the undisturbed exportation of our own Canadian cattle to the markets of Great Britain, while cattle from American ports might be excluded therefrom, from evidences of the pleuro-pneumonia existing in some of the Eastern States. But he (Mr. Alexander) had carefully examined all the Western journals, and had failed to find the smallest evidence of this disease, showing itself at Chicago or at St. Louis, or in any of the Northwestern States; in fact we have certified statements from Chicago, and other parts of the West, that no appearance of cattle disease of any kind has been observed. These statements came from men high in authority, and he himself believed that the necessity no longer existed, for keeping in force the restrictions imposed by the Government respecting the transport of cattle from the West by our Canadian railways. Our Government were perfectly aware, that the transport of cattle from the West, constituted a very large part of the through business or freight of our trunk lines of railway—that therefore such restrictions affected most seriously the receipts or revenue of such roads. And this House had implicit faith, that the Government would at the earliest moment they could safely do so, order the restrictions to be removed. The statesman, while he on one hand anxiously

guarded certain interests, felt it not less to be his duty, to avoid the other extreme, injuring deeply other national interests. Certified statements from the different boards of health and stockyards, in the West were surely perfectly reliable.

The motion was agreed to.

SMALL-POX IN CANADA.

INQUIRY.

Hon. Mr. HAYTHORNE enquired :

Whether the attention of the Government had been directed to the subject of the prevalence of small-pox in Canada, with a view to arrest the spread of that disease by a general system of vaccination or otherwise.

He said : It seems a strange coincidence that the motion the House has just disposed of should bear some sort of analogy to this inquiry. The one refers to the danger of pestilence which affects our cattle, the other to a pestilence which affects our fellow-citizens, our sons and daughters, and our nearest relations. I should not have troubled the House on this occasion on this subject, had it not been that in Prince Edward Island a serious and alarming outbreak of small-pox has occurred, proving fatal in many cases. That fact alone justifies me in asking this question, even if it had not a general interest to the people of the Dominion. Of course, in the Maritime Provinces, where vessels are constantly arriving from all parts of the world, we never can be absolutely free from the danger of infectious diseases. All that we can expect from the Government is that they will give us every immunity which the circumstances of the case admit, and I have no reason to suppose that the Government of the day will display the slightest indifference to our interests on that score. Within the last seven years there have been at least three outbreaks of small-pox in the province from which I come, brought to us in every instance by sea. Whether the best arrangements for stamping out the disease when it arrives, are in force, I cannot say, but all regulations partaking of the nature of quarantine must prove inefficacious as long as vaccination is not generally practised throughout the Dominion. I have spent a day or two in looking over the report of the Committee of the British House of Commons which sat in 1871, during an outbreak of small-pox in the metropolis, and I must say it has seldom been my fortune to read a more instructive report. The Committee was presided over by a gentleman of great political eminence, and comprised some members of the Government of that day, and gentlemen in the highest rank of the medical profession. It consisted of fifteen members, and amongst them were the Right Honorable W. Forster, chairman, Mr. Muntz, Dr. Lyon Playfair, Sir Dominic Corrigan, Dr. Brewer, and Ald. Carter. It was appointed to enquire into the operation of the Vaccination Act, and to report whether such Act should be amended. No less than eight of their sittings were occupied in hearing the evidence of persons who assert that vaccination is useless and injurious, and, therefore, object to its enforcement and encouragement by law. Notwithstanding this evidence the committee came to these conclusions :—

"1st. That the cow-pox affords, if not an absolute, yet a very great protection against an attack of small-pox.

"2nd. That if the operation (of vaccination) be performed with due regard to the health of the person vaccinated, and with proper precautions in obtaining and using the vaccine lymph, there need be no apprehension that vaccination will injure health or communicate disease.

"3d. That small pox, unchecked by vaccination, is one of the most terrible and destructive diseases, as regards the danger of infection, the proportion of deaths among those attacked, and the permanent injury to the survivors, and therefore, that it is the duty of the State to endeavor to secure the careful vaccination of the whole population."

The Committee believe that the almost universal opinion of medical science and authority is in accordance with Dr. Gull, when he states that vaccination is as protective against small-pox as small-pox itself; also with Dr. West, who had charge of 50,000 or 60,000 children *between the years* 1835 and 1870, that "He does not think that vaccination produces disease." And with Dr. Jenner, when he says: "I should think myself wicked, and really guilty of a crime, if I did not

recommend every parent to have his child vaccinated in early life." There were some witnesses whose positions were such as to make their evidence peculiarly valuable. For instance, there was Dr. Seaton, Medical Inspector of the Privy Council, and President of the Epidemiological Society. He says the society set on foot an enquiry as to small-pox and vaccination. They sent out enquiries to general practitioners and poor law medical officers, and received 2,000 replies, from which the society's report was compiled and submitted to Lord Palmerston, for the information of Parliament and the Committee on Compulsory Vaccination then sitting in 1853. The conclusions arrived at are given in two paragraphs :—

"1st. Small-pox is a disease to which every person is liable who is not protected by a previous attack, or by vaccination. In its unmodified form it is fatal to about one in four, or one in five, of all whom it invades, and when it does not destroy life, it, in many cases, disfigures, and deteriorates the general health. Every case of it is a centre of contagion, and every unvaccinated or imperfectly vaccinated population is a nidus for the disease to settle in and propagate itself.

"2nd. We are ourselves satisfied, and it is the concurrent and unanimous testimony of nearly 2,000 medical men, with whom we have been in correspondence, that vaccination is a perfectly safe and efficient prophylactic against this disease, (page 295)."

In 1863 Drs. Seaton and Buchanan examined children in London schools. Out of 2,837 without the marks of vaccination, 1,010 had had small-pox, or 360 per 1,000, while out of 49,570 *having* the marks of vaccination, 88 only had had small-pox, or less than 2 per 1,000. Dr. Seaton examined the children (170 of them), in a ragged industrial school at Hull, England : 33 had no marks of vaccination, and of these 30 had marks of small pox, some being much disfigured ; 137 children had marks of vaccination, and of these, there was only one who bore marks of small-pox. I now come to the evidence of Mr. John Simon, F.R.S., Medical Officer to the Privy Council, and for seven years Medical Officer of the City of London, and Lecturer at St. Thomas' Hospital. In reply to question 2932, he says : "I believe that in the absence of vaccination, small-pox is amongst the most contagious, and most fatal pestilences with which a community can be visited." In reply to question 2934, he says : "Small-pox is not a declining disease." To questions 2936 and 37, he answers : "35½ per cent. of unvaccinated patients in the small-pox hospital, London, England, die." He answers to question 2938 : "Of well vaccinated patients 1 per cent. die. Taking all vaccinated patients, whether well or ill vaccinated, the mortality is only 7 per cent." Question 3121 : "Have the parents who take their children to be vaccinated, the same power which the richer and the better-to-do classes have, in being insured as to having the lymph taken from a healthy child, upon your system? Answer—I can conceive nothing better than the system of stational vaccination at its best. There are two or three matters in this country in which the poor are better provided than the rich, and I think that vaccination is one of them." Mr. John Simon says (question 3009) referring to his report of 1857, that according to estimates, the substantial accuracy of which he is well satisfied, on the average of 30 years previous to the introduction of vaccination, the annual rate of small-pox mortality per million of the population was 3,000, but taking it at 2,500, and coming down to periods in which vaccination has been more general, from 1838 to 1840, inclusive, the small-pox mortality per million, instead of being 3,000, or even 2,500, was 770 per annum, though in those years there was no vaccination law (page 171). Then followed 9 years, during which vaccination was optional, and then the annual death rate by small-pox per million inhabitants was 304. Then followed fifteen years of compulsory vaccination, from 1854 to 1868, inclusive ; and in them the annual death rate was, per million inhabitants, only 184. Now, contrast these figures with the mortality during the years from 1629 to 1635, when the small-pox death rate in London was 1,890 per million, (living). From the year 1660 to 1679 it was 4,170 per million of inhabitants. These figures show that the average death rate in the seventeenth century was very high indeed. Those statistics being placed before the committee I have already referred to, the remark was drawn from the chairman :—

"Am I right in supposing that frequently there was then a destructive epidemic answering to a plague from small-pox." The answer was: "Yes, assuredly." Having examined the frightful fatality of this disease at periods further remote from the present time, and having shown the decrease which has occurred since the introduction of vaccination, I may refer to the present time. And, fortunately, we find published in the London *Times* and other journals every week, an abstract from the Registrar General's report. I have two of those reports before me, from which I have made the following extracts:

"In the week ending Nov. 23rd, 1878,' 3,976 deaths were registered in London and 22 other large towns of the United Kingdom. The average death rate from all causes was 25 per 1,000 persons (living) 25,000 per million.

The rate in several of those towns per 1000 living:

Portsmouth	14	London	23
Brighton	17	Birmingham	24
Wolverhampton	18	Leeds	27
Leicester	19	Liverpool	29
Sunderland	19	Sheffield	32
Plymouth	21	Oldham	38

Take some foreign towns by way of illustration, and contrast the returns from them with those I have just read. We find that the death rate per 1000 was, in

Calcutta	39	Stockholm	17
Madras	51	St. Petersburg	33
Paris	24	Buda Pesth	41
Geneva	19	Rome	21
Brussels	26	Philadelphia	17
Copenhagen	19	Baltimore	16

Now to show the House that the figures I have just read do not represent a particularly healthy week, I will read an extract from the report for the week ending December 21, 1878. The Registrar General reports: "No fatal cases of small-pox occurred in any of the nineteen large provincial towns, and only 14 in London." Referring to the Registrar General's return for that week, I find that, of 1,547 deaths reported in London, there were:

From Small-Pox	7	Whooping-Cough	31
" Measles	18	Different forms of Fever	24
" Scarlet Fever	54		
" Diphtheria	11		

I think the House will agree with me that it is most desirable that some steps should be taken to reduce the mortality from small-pox here.

Hon. Mr. Haythorne.

Hon. Mr. MILLER—May I ask the hon. gentleman a question?

Hon. Mr. HAYTHORNE—Certainly.

Hon. Mr. MILLER—Does my hon. friend think that the Government of the Dominion or this Parliament, has any control over the question embodied in this enquiry. I believe it is a question which pertains wholly to the local authorities.

Hon. Mr. HAYTHORNE—I will not undertake to decide what power we possess; but it appears that the Dominion Government can deal with diseases of cattle, and it strikes me that in a case which concerns the health of the people in the various provinces, they ought to possess a similar power. The hon. gentleman must see that this is a question which concerns all the provinces of the Dominion, and, consequently, for that reason I assume that the powers of Parliament do extend far enough to cover it. I may state that there are two diagrams attached to this report. One was compiled by Dr. Pearce, and relates to the years between 1838 and 1871 inclusive, showing the annual number of deaths in England and Wales from seven diseases—phthisis, bronchitis, scarlatina, typhus, whooping cough, measles and small-pox. The greatest number of deaths from small-pox in that period was in 1838, when it reached 1,600; the smallest was in 1861, when it was only 1,000. The greatest number of deaths from phthisis was in 1840, when it reached 59,000; the smallest was in 1850, when it was 47,000. The other diagram shows the death rate in Sweden from small-pox between the years 1780 and 1855. From 1774 to 1800 was a pre-vaccination period, and the greatest mortality occurred in 1779, when it reached 7,200 per million. In 1784 the deaths numbered 5,800 per million; and in 1800 they were 5,200 to the million (living). In the period after vaccination, from 1803 to 1855, the greatest mortality from small-pox occurred in 1809, when it reached 1,100 per million. In 1839 it was only 600, and in 1852, 700 per million. During the four years between 1841 and 1845, there were no deaths from small-pox. I think these are very suggestive facts for those who have doubts as to the efficacy of vaccination. Returning to the point

from which I started—the outbreak of small-pox in Prince Edward Island—I may say that I am, of course, very well aware that up to the present time the public health has been under the charge of the local authorities, and that they enact and enforce their own laws. My reason for having referred to this question here, is to show that all the quarantine regulations which can be devised by the Government will not ensure success, so long as small-pox finds a nidus in other countries and in our own cities. Seeing the dangers to which our population is exposed, I think some vigorous action should be taken to prevent the spread of small-pox in our country. Under existing circumstances, perhaps, the most effective plan will be to appoint a larger number of health officers at the outports, to visit vessels on their arrival, and prevent all communication between an infected vessel and the shore. I very much regret that my hon. friend (Mr. Howlan) is not here to take part in this discussion. I believe the disease was brought to our Province by a vessel which he had chartered at Montreal. It visited Newfoundland and Cape Breton, and afterwards came to Cascumpec. On the arrival of the vessel, it was found that a portion of the crew had small-pox, and they were quarantined on an uninhabited island, until they were released. The danger was presumed to be over, but, unfortunately, the authorities neglected to destroy the camp which had been occupied as a hospital; subsequently it was plundered by some idle boys, who caught the infection and disseminated the disease in that way. Although I am satisfied that the Government of the day will do all that lies in their power to prevent the introduction of small-pox into this country by enforcing quarantine regulations, yet I am satisfied there can be no absolute security against the spread of the disease amongst our people until we have a general system of vaccination. Although communication with Prince Edward Island has been very much retarded of late by stormy weather, I learn from a member of the House of Commons, who has just come from that province, that a case of small-pox has occurred at a distance of several miles from where the disease first broke out. I mention this to show the danger to which our population is exposed, and the necessity for taking immediate steps to prevent the spread of this disease. An hon. gentleman in this House has called my attention to an Act in force in Nova Scotia, which gives very large powers to the local authorities in such emergencies. Section 8 provides that "the general or any special sessions of not less than seven magistrates, or the City Council of Halifax, on requisition from the Board of Health, or whenever they think it necessary, may order a general vaccination in any county or any part thereof." Unhappily, I fear, that laws so stringent as that are not in operation anywhere in the Dominion, outside of Nova Scotia.

The hon. gentleman concluded by putting the question, of which he had given notice.

Hon. Mr. AIKINS—The hon. gentleman who has just resumed his seat has given this House some very valuable and interesting information. If it were before our local legislatures or provincial governments, there is no doubt some good would result from it. As already intimated by the hon. gentleman opposite (Mr. Miller), this is not a matter which comes within the purview of the Dominion Government. We have no power to deal with the subject of health except in matters of quarantine. The previous Administration spent a considerable sum of money to stamp out small-pox which appeared in the Icelandic settlement in the North-West, but that was because the settlement was outside the limits of Manitoba. At another time the Dominion Government expended money to prevent the spread of small-pox which had broken out amongst the Indians. The circumstances in that case were of a similar character, and those are the only instances I know of where the Dominion Government has interferred in such matters. In reply to the question of the hon. gentleman, I may say the attention of the Government has not, so far as I am aware, been called to this matter at all.

Hon. Mr. HAYTHORNE—Will the hon. gentleman inform me whether he would be in a position to take further measures to ensure the visiting of vessels by Health Officers on the re-opening of navigation?

Hon. Mr. AIKINS: That is a matter for consideration. I do not think that I or any member of the Government individually would be in a position to answer that question without due notice. It would be the initiation of a principle that, up the present time, has not prevailed.

Hon. Mr. HAVILAND—I do not understand the object that my hon. friend has in view in making this inquiry. I was under the impression that the health of the people was a matter altogether within the jurisdiction of the different provinces. In Prince Edward Island we have a most stringent law relating to vaccination. It has been on the Statute Book since 1862, and renders it compulsory on the head of every family to have each child vaccinated within three months after its birth, under penalty of a fine, and that penalty can be repeated every two months until the child is vaccinated. We have health officers from one end of the Province to the other, and if this disease is spreading, it is the fault of the local authorities, and not of the Dominion Government.

Hon. Dr. BROUSE—I cannot allow this subject to pass without offering a few remarks, inasmuch as it is one which interests not only the Province of Prince Edward Island, but the entire Dominion. I quite agree with the hon. gentleman who introduced the question, that it is one of importance to us as individuals. The great question which he has argued is: "Can small-pox be stamped out?" Without endeavoring to discuss it, I may say I quite agree with the conclusions at which he has arrived, that we have the material which, if properly used and applied, can effectually stamp out small-pox in this country. But this enquiry leads up to a larger question—whether this Parliament has any right to deal with sanitary legislation, or whether it should be left exclusively to the provinces themselves. As an individual, I believe that the present period in the history of the world shows that all civilized nations are striving to legislate for the safety and health of the people. If you will look abroad, you will find that everywhere the attention of governments is directed towards the sanitary improvement of the people. At a meeting of one of the largest assemblages of the leading medical men of the world in Philadelphia lately, a memorial was adopted asking, not only the United States of America, but also the Government of Canada, to legislate, as other nations had done, on the great question of health. If you look at France, you will see that this matter is under the control of the Government, and the death rate has been there reduced by wise legislation, as to save 294,000 lives annually. In Russia and Prussia there is a central depot for the management of the public health, and the subject receives most careful consideration. All the principalities and states are obliged to send in their reports to the central government, and there the statistics are tabulated, and circulated with a view to promoting the general health. The same course has been pursued in England since 1842. No less than 48 bills on the public health have been enacted in that country since then, and the death rate has been lessened from 20 to 33 per cent. in consequence. In the neighboring Republic, the various states are giving careful attention to this question. In Massachusetts, the most efficient men in the State are employed in this work, and the death rate has been decreased 16 per cent. In Michigan, the most intelligent men have directed their attention to this subject, and the result has been that the death rate in that State has been decreased 17 per cent. Now apply that to ourselves, and I firmly believe that if we had health legislation in this country, such as we find in other lands, the death rate can be diminished to the extent of 10,000 annually. I believe it is the duty of the Government, if they have not the power to deal with this question, to take that power to themselves, or to enter into such negociations with the various provinces, as will lead them to legislate for the preservation of human life. Either let the legislatures look after the health of the people, or let us have a central department here in Ottawa, so that every thing relating to the air we breathe, the water we drink, and the earth beneath us, statistics and information relating to zymotic and other diseases, can be collected and circulated among the people; for it is the duty of the Government to preserve human life and human health. I throw out these facts because I believe this matter to be one of great importance, and that if the Govern-

ment would undertake the work which I have suggested, the result would be to materially reduce the death rate throughout the Dominion. As one individual, I will never rest satisfied until I have done all in my power to accomplish that object.

Hon. Mr. BAILLARGEON—I have listened with great pleasure to the remarks which have been made in this discussion on the subject of vaccination. Small-pox is spreading in many parts of this country. In Montreal it has prevailed ever since 1874. In 1877 five hundred and six deaths resulted from this frightful disease, and the following year its victims numbered 720, an increase of 220 deaths in one year. In view of such facts, would not this Government have a right to enact some law for the protection of human life? In Montreal it is well kown that a great part of the mortality from this epidemic is due to the negligence of the people in not adopting vaccination. I think there should be a law passed rendering vaccination compulsory, and imposing a severe penalty on all persons who fail to comply with its provisions. In this way hundreds of lives could be saved every year.

Hon. Mr. BUREAU—I am not a doctor, but I can inform the House of the experience we have had in the parish of St. Remi, where I reside. There can be no doubt that small-pox is spreading in Montreal through the negligence of a portion of the population, and their negligence proves exceedingly dangerous to the rest of the community. While on my way to St. Remi, on one occasion, I found that there was on the train the body of a young man who had died from small-pox. The deceased was being sent to St. Remi for burial. The contagion was carried to the family of which he had been a member, and through them was spread over the parish. One man, fearing that he might lose his son through this dreadful disease, sent him to the parish of St. Isidore, lest he should be asked to be a pall-bearer for a neighbor. He was, however, brought back and acted in that capacity, and of the four pall-bearers at that funeral, three died of small-pox, among them, this young man. I know at Three Rivers where my people reside, we have never lost a member of the family through this disease. In Montreal there is a celebrated doctor (Dr. Coderre) who thinks vaccination is not necessary, and his belief prevails with a large number of people. In fact, they were so much opposed to vaccination, that there was nearly a rebellion in Montreal when the attempt was made to enforce it. I applied to the priest of St. Remi, and urged him to warn his congregation that no member of a family in which small-pox prevailed should attend church until the pestilence had disappeared, because their coming in contact with their neighbors on Sundays spread the disease; but I could not persuade him to do so. At length, however, the value of disinfectants, and of isolating families in which the disease prevailed, became apparent, and the pestilence was stamped out. I do not think we ought to go so far as is done in Prussia, where, I observe 80,000 soldiers have been stationed along the frontier to prevent the spread of the plague, but something should be done to protect human life in such cases as I have referred to. I know that some poor people from Saguenay brought small-pox to Hull, and the result was a large number of deaths in that city. My desire is that either this Government or the local governments should adopt stringent measures to compel the people to protect themselves, by vaccination and otherwise, from this pestilence.

The subject then dropped.

The House adjourned at 5 o'clock.

THE SENATE.

Monday, March 3rd, 1879.

The SPEAKER took the Chair at 8 p.m.

Prayers and routine proceedings.

PRIVATE BILLS.

THE TIME FOR RECEIVING PETITIONS AND BILLS EXTENDED.

Hon. Mr. AIKINS moved:—

That the time limited for receiving Petitions for Private Bills be extended to Monday, the tenth day of the month of March next.

Motion agreed to.

Hon. Mr. AIKINS moved :—

That the time limited for presenting Private Bills to the Senate be extended to Tuesday, the eleventh day of March, instant.

Motion agreed to.

THE BRITISH COLUMBIA PENITENTIARY.

MOTION FOR A RETURN.

Hon. Mr. MACDONALD moved :—

That an humble Address be presented to His Excellency the Governor-General praying that His Excellency will be pleased to cause to be laid before this House, copies of all correspondence with the Government relative to the appointing of Mr. Richard Layton as Warden of the Penitentiary in British Columbia.

He said—Captain Layton was recommended by the members from British Columbia, for three years consecutively, as a fit person to be appointed as Warden of the Penitentiary in that Province. Mr. Layton from his training and business capacity would be well qualified for the office. In the face of those recommendations the late Government appointed an inferior man to the position. I do not wish the American system of changing officials to be adopted in this country. No one should be dismissed excepting for incapacity, misconduct, or the office being no longer necessary. Having another motion on the same subject I will now move the one of which I have given notice.

Hon. Mr. CORNWALL—I am glad that I am able to substantiate all that has been said on this subject by my hon. friend. Ever since the necessity of the appointment of a Warden to the Penitentiary of British Columbia first became apparent, I, myself, for several successive years, was instrumental in drawing up a recommendation that Capt. Layton be appointed to the position. That recommendation was invariably signed by seven out of the nine members from British Columbia. We all had a thorough knowledge of Capt. Layton, and knew him to be well qualified to discharge the duties of the position. He was not only recommended by us, but also by the present Lieutenant-Governor of British Columbia, Mr. Richards, by the late Lieutenant-Governor, Mr. Trutch, by all the judges of the Supreme Court—and other gentlemen of influence in the Province, and last, but not least (I think there is no harm in my mentioning it), his name was mentioned to Mr. Mackenzie by the highest personage in the Dominion. Notwithstanding all that, we were intensely annoyed and disgusted to find last year that the office had been given to one who was very indifferently fitted to fill it—a man who had been simply a jailer in the common jail at New Westminster. He had filled that position satisfactorily for a number of years, but neither in capacity nor in education was he fitted to fill the much more important office of Warden. I have often read with interest the reports of the wardens of the different penitentiaries in the Dominion. Anyone who has perused those reports, must have observed that a man holding such a position must possess special qualifications to fill it creditably. He should be one of considerable administrative capacity, of good education, and accustomed to command; and unless he be such it will be impossible that he shall discharge the duties of a very important position to the satisfaction of the country. Captain Layton is thoroughly qualified so to fill the position, and I am glad that notice has thus been publicly brought to the matter, and hope that some change will hereafter be made.

Hon. Dr. CARRALL—I am not sufficiently prepared with facts to speak in condemnatory terms of the present incumbent of the wardenship of the penitentiary of our Province, which office I desire to see filled by the gentleman who is referred to in the resolution. I do not know the facts of the case, but the hon. gentlemen who have just spoken are a sufficient guarantee that the position is a little too large for the person who now holds it. The gentleman who has been recommended would bring to that position all the qualifications requisite for so important an office. Thanks to the Dominion of Canada, we have a very good penitentiary, but we have very few occupants. I have known Capt. Layton for years, and he has claims equal to those of any other man. He has been a long time in the country—a pioneer with myself and many others—he is a gentleman of culture and high standing, and his appointment would be accep-

able to the whole Province, provided a vacancy should occur through the shortcomings of the present incumbent of the office. I cannot but reflect in a brief way upon the conduct of the Mackenzie Administration, who, in defiance of the almost unanimous solicitations of the British Columbia representatives, appointed another person, who, I am assured by my colleagues, is incompetent for the position.

The motion was agreed to.

THE WARDEN OF THE BRITISH COLUMBIA PENITENTIARY.

MOTION FOR A COPY OF REPORT.

Hon. Mr. MACDONALD moved:—

That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, copy of report made by the Deputy-Adjutant-General in British Columbia, complaining of the Warden of the Penitentiary in that Province.

He said: This motion refers to the extraordinary conduct of the Warden of the Penitentiary. As the connection between the Militia Department and the Penitentiary may not be known to hon. members, I may explain that there are some old buildings, formerly used by the Royal Engineers, on the ground attached to the Penitentiary. One day the store-keeper went to the store-house on business, and was met by the Warden of the Penitentiary, who warned him off, and would not allow him access to the building. He threatened that he would put him in prison if he did not leave. The store-keeper reported this to his superior officer, who demanded an explanation from the Warden. The Deputy Adjutant-General was met with the same offensive language. Is such a man as this fit for Warden of a Penitentiary? I contend that an intemperate man should not hold such an important position. He should not be subject to wavering fits of temper, but should be a man of high standing and integrity, and a pattern to those unfortunate persons under his care. Should a change be necessary, the Government know where to find a suitable man.

Hon. Mr. AIKINS—There is no objection to bringing down the papers asked for.

Hon. Dr. CARRALL—This session-I hope.

Hon. Mr. AIKINS—Certainly.

The motion was agreed to.

The House adjourned at 8.35 p.m.

THE SENATE.

Tuesday, March 4th, 1879.

The SPEAKER took the chair at 3 o'clock.

Prayers and routine proceedings.

THE INTERCOLONIAL RAILWAY WORKSHOPS.

INQUIRY.

Hon. Mr. POWER enquired:—

If it is the intention of the Ministry to transfer the Head Offices of the principal workshops of the Intercolonial Railway from Moncton to Halifax; and if so, when such transfer may be expected to take place?

He said: This question relates to a matter that is of local rather than of general interest, but still I hope the House will pardon me if I make a few remarks upon it before formally asking an answer from the Government. The matter has been discussed before in this House, and I suppose the hon. gentlemen who are specially interested in it, remember what has taken place. At the time of the union of the Provinces, in 1867, there were in Halifax workshops which were sufficient for all the Government railways then in existence in the Province of Nova Scotia, and the head offices of those railways were also there. No change took place until 1870. At that time, the Intercolonial Railway between Truro and Quebec, was in course of construction; and it was deemed desirable by the Commissioners of the Intercolonial, that some place should be selected as the site for the principal workshops, and the head offices of the road. The Commissioners, in their report, which

was brought down to this House last year, and which was approved of by the Governor in Council on the 11th January, 1870, state :—

"That having given the question careful consideration, with reference as well to the existing railways in New Brunswick and Nova Scotia, as to the Intercolonial, they recommend that Moncton be selected as the place for establishing the main workshop for the repairs and maintenance of the rolling stock."

The report of the Committee of the Privy Council went on to provide, that the necessary land for the sites of the buildings should be purchased, and the buildings erected. In the Public Accounts for 1872-3 and 1873-4—after the adoption of that report—items appear for the purchase of the land and the erection of the buildings; the sum of $150,000 having been expended for these purposes. After the change of Government, there were some $20,000 spent in completing the buildings. I am not going now to discuss the question as to whether Moncton was the best place at which to establish the workshops and the head offices of the Intercolonial Railway. My own impression is that it would have been quite as well, or better, to have left the principal workshops at Halifax; and I am quite sure that an important sea-port like Halifax being at the same time one of the the termini of the road, would have been a much more suitable place for the head offices, for transacting the business of the railway than Moncton. The matter to which I wish particularly to call attention is, the fact that a promise was made to the people of Halifax that, in case of a change in the Administration, the main workshops and, I presume, the head offices too, would be transferred from Moncton to Halifax. I shall read to the House an extract from a speech made at a public meeting in Halifax on the 19th of January, 1878, by the gentleman who is now Minister of Public Works. There were some five thousand people present, and it was a very solemn occasion indeed. Speaking of the workshops, the hon. gentleman used the following language :—

"I say more. The day is close at hand when they (the workshops) will come back,—when the man who protected the workshops at Richmond, while he was in the Government, will be back in the Government and restore them to the city of Halifax. So much for the workshops."

Now, hon. gentlemen, it is to be presumed that after a statement of that kind being made, there would be no doubt that, when the Government changed and the hon. gentleman who made that speech was in the Government, and particularly when he was Minister of Public Works, and had almost absolute control over the Intercolonial Railway, the transfer he then proposed to make would be made. I do not pretend to suppose that the change will not take place; but, as far as I am aware, none has been made since the formation of the new Administration; and the people of Halifax, who put faith, perhaps justifiably, in this promise, are naturally beginning to be very anxious that it should be redeemed. While I presume that the change will be made, I think it is not asking too much that this House, and through this House, the people who are directly interested in this matter should have some definite information as to when the change is likely to take place. I have noticed that in another place when questions of this sort have been asked the Government, the answer has been "the subject is under consideration." I trust the gentleman who leads the Government in this House is not going to give the same answer to this question. I think it is an answer which can hardly be expected, because it will be noticed that the hon. gentleman under whose control the Intercolonial Railway is, stated some months ago, quite positively, that the change would be made. In the city of Halifax, and its neighborhood, there are a great many workmen who, with their families, are now suffering dire distress, and those people were given to understand that this change would be made, and it was one of the means which, I presume, were adopted to influence public opinion in the County of Halifax, and change it from what it had been formerly. I am not talking now as a politician or partizan, but I think that on behalf of those people who are suffering, and to whom those promises were made, I have a right to expect that the question which I have asked will be answered fairly, positively and definitely. I think I have a right to claim that they should not be put off with

an evasive answer. I should understand, and I presume the people of Halifax would understand, that an evasive reply in the present case would be tantamount to a negative answer. I hope, therefore, that the Government will give a direct answer to my question.

Hon. Mr. CAMPBELL—The interest which the hon. gentleman takes in the question is perfectly legitimate, and I think he is entitled to a candid and decided answer. Very often it is the duty of the Government to say that matters are "under consideration," and if I felt it to be the duty of the Government to give the same reply to this question I should do so. In this case, however, I can gratify the hon. gentleman by giving him a decided answer. That answer is,—it is not the intention of the Government to change the workshops from Moncton to Halifax.

REMOVAL OF THE RAILWAY OFFICE FROM VICTORIA.

MOTION FOR CORRESPONDENCE.

Hon. Mr. MACDONALD moved :—

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all correspondence relating to the removal of the Railway Office from Victoria to New Westminster ; also, the cost of repairing and fitting up the old Government House at New Westminster, as a Railway Office, together with all correspondence relative to the Purveyor of the Pacific Railway being allowed to occupy the said building as a private residence.

Hon. gentlemen, in moving for this correspondence, my intention is to bring under the notice of this House a matter of unnecessary expenditure in connection with the Pacific Railway service in British Columbia. Offices had been fitted up at very great expense by the Government at Victoria, for the railway engineers, and furnished with carpets and other luxuries. On the recommendation of the Purveyor of the Pacific Railway, it was considered necessary to remove the offices to New Westminster, and the old Government House there was repaired at considerable cost, ostensibly for that purpose, but in reality to provide a private residence for the Purveyor himself. Had this change been made as a matter of economy,—to save rent—or for the convenience of the engineers, no fault could have been found; but what are the facts? Instead of removing the engineers to the Government House, they were moved into a small room in the Post Office Department, while the Purveyor himself moved up with his family to the new apartments—he moved the Purveyor's office of course, in which three or four of his own nephews were employed. In this matter I do not think the Government are enirely to blame, because I think they were deceived by the Purveyor. Subsequently, the office of Purveyor was abolished. The Purveyor was a very well paid office, and no other officials—not even the Ministers of the Crown—were allowed dwellings rent free, and I think the former Government were grossly misled in this matter.

The motion was agreed to.

REMOVAL OF STEEL RAILS FROM VANCOUVER ISLAND TO FRAZER RIVER.

MOTION FOR TENDERS AND CORRESPONDENCE.

Hon. Mr. MACDONALD moved :—

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all tenders for the removal of the Steel Rails from Vancouver Island to Fraser River, together with the names of the parties to whom the contract was awarded, and all correspondence on this subject between the Government and the Purveyor of the Pacific Railway in British Columbia.

Hon. gentlemen, I now come to an extremely delicate question—a matter so extraordinary and so unbusiness-like, that it amounts almost to childishness, and I can hardly find words to bring it before this honorable House. In this matter again, I am almost certain that the Government has been misled. No doubt it has been represented to them as being a wonderful political move, on the eve of the general elections. That must have been the object of the removal of the rails at that time, before anything definite had been decided as to the route of the railway. Had the line been fixed upon, it would have been well enough, but while the question of route was still an open one,

an expenditure of over $30,000 was thus incurred unnecessarily. Not only that, but the time allowed for the contractors to fulfil their engagements, was so short that the work has cost fifty per cent. more than it would have, had a reasonable time been given, whereas, the rails will probably lie for a long time to come unused.

Hon. Mr. MACPHERSON—Perhaps they thought a change of air would be beneficial to the rails?

Hon. Mr. MACDONALD—However that may be, nothing has been gained by it, for if the Government expected any political advantage from the change they were greatly deceived.

Hon. Mr. CORNWALL—I desire to refer to one expression which has been made use of by my hon. friend, as to the fact that, in his opinion, the line for the Canadian Pacific Railway had not been decided upon when this contract was awarded. Now, from the very best information that I have been able to obtain, I believe the line had been fixed upon last year by the late Government, and, therefore, there was some reason why those rails should have been removed from Nanaimo, Victoria and Esquimault, where they had been lying for the last few years. At the same time I think it was unnecessary to remove them in such a hurry, giving the public no opportunity to tender for the work, except the few who were able to take hold of the contract at once, in consequence of having steamers on the river. For this reason the Government had to pay a larger sum for this service than they would had they given longer time for preparing tenders.

Hon. Mr. ALEXANDER—It is not perhaps desirable, that, upon a motion such as this, for the production of certain papers, any remarks should be made, calculated to evoke lengthened debate, but perhaps the House will permit me to express the hope, that the present Governernment will not follow the course pursued by the late Administration, in permitting large unnecessary, wasteful expenditures to be incurred, upon mere preliminary arrangements, prior to the actual commencement of Government works, or before the line of the Pacific Railway has been decided upon.

Hon. Mr. CORNWALL—I said the line had been decided upon.

Hon. Mr. ALEXANDER—We cannot but feel, that during the last four or five years, large sums of money have been spent, simply to preserve the semblance of keeping faith with British Columbia. The House will not be willing now that I should go into details of such unnecessary waste of the public money. But we must all feel that our large annual deficits have been swollen and increased by such mistakes and blunders. We all remember a quantity of rails being sent up to Renfrew, upon an assumed branch of that railway, before any surveys were made, while they were subsequently removed by the contractor for his own personal objects; but the country had to pay for them. I hope that this system of proceeding without due care and forethought, will be stopped. It would be far better for us to act towards British Columbia in a frank and honest manner. If the finances of the country will not admit of our going on with the Pacific Railway for a time, it would surely be more honorable to say so, and not continue a policy, which might be termed in plain language, one of deception, which while increasing the public debt of the Dominion, does not in any way tend to the development of our territory on the Pacific Coast. The country looks for a wiser administration by the men now in power.

Hon. Mr. MACDONALD—Before I put this motion on the notice paper, I examined all the speeches and records I could find with regard to the route. I have read the speech of the Premier, made towards the end of last session. It is true he favored the Frazer River route over the Bute Inlet route, but he left it entirely an open question. I believe it is customary in matters of this kind to settle them by a Minute of Council. On the records of this country there are only two Minutes of Council respecting the line in British Columbia, one fixing the terminus at Esquimault, and the other asking for a reservation of land at Bute Inlet. That minute of

Council was passed in 1876, and no one ever heard of it or saw it until it came to light at the recent opening of the Assembly in British Columbia, and it was then found in the minutes of Council at Ottawa.

Hon. Mr. MACPHERSON—What is the cost of removing the rails ?

Hon. Mr. MACDONALD—Thirty thousand dollars.

Hon. Mr. MACPHERSON—How many tons ?

Hon. Mr. MACDONALD—Five thousand tons. There is no minute of Council on the records that is not contrary to the adoption of the Frazer River route.

The motion was agreed to.

The House adjourned at 3.50 p.m.

THE SENATE

Wednesday, March 5th, 1879.

The SPEAKER took the chair at 3 o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (A) To amend the Penitentiary Act, 1875, (Hon. Mr. Aikins.)

The Bill was read the first time.

THE ICE JAM AT CROIL'S ISLAND.

INQUIRY.

Hon. Dr. BROUSE enquired :—

Whether the attention of the Governmont has been directed to the unprecedented Ice Jam in the River St. Lawrence, a few miles west of the Long Sault Canal, as well as the damage that already has resulted from the dam thus formed, whereby the waters of the river have been raised about seven feet ; and also, whether any action has been taken to prevent the apparent danger that a large amount of public, as well as private property, may be destroyed when this Ice Jam gives way.

He said : A few days ago an ice-bridge was formed in the River St. Lawrence, at a place known as Croil's Island, which is situated a few miles west of the Long Sault, and the public works upon the Canal. This jam extends from the Island to the main shore, on the Canada side, and also to the American side. The floating ice being driven by the force of the current, some of it over-riding the ice already formed, and some of it passing under it, has formed a jam whereby the river west of the Island has been raised seven feet. The water, thus flooded back, has caused injury to private property, and also to public property, to a small degree. In case of a severe thaw the large amount of snow along the St. Lawrence, and the tributaries of that river might cause the ice-bridge to give way suddenly, and damage the public works along the Cornwall Canal, impeding the entire commerce of the St. Lawrence. I have, therefore, thought it necessary to bring this matter under the consideration of the Government. During the last few days the alarm which had spread among the inhabitants in that section has somewhat subsided, inasmuch as the water itself has receded some two feet, and consequently the danger which was apprehended at one time may, to a certain extent, have passed away. Within the memory of the oldest inhabitant in that section, such a jam has not occurred there. The ice-bridge was formed through the action of individuals who reside on Croil's Island. They are not Canadians, but subjects of another nation. They cut the ice out of the bays, and let the current carry it out to the island until it fastened to the other shore. The frost being severe, formed this jam, the object being to bridge the river, because the water at that place runs at the rate of eight to ten miles an hour and thus give the inhabitants easy access to the shores. What has occurred once may occur in the future, and I trust the Government will make it a high misdemeanor for any party to cause an ice-bridge to form in this way in the future, and see that guilty persons are severely punished. I am glad to see that the danger which was apprehended has decreased, and I have taken this opportunity to bring the matter under the notice of the Government, and with them leave the responsibility.

Hon. Mr. AIKINS—The attention of the Government has not been called to this ice bridge. They were not made aware of its existence, except through the information which appeared in the public papers. From what has been published recently, the apprehensions that were entertained by the people in that vicinity must have passed away with the fall of the water. I will communicate to the Minister of Public Works the facts which have been laid before the House, so that in case of a jam occurring in the future, some means may be devised for its removal.

The House adjourned at 3.45 p.m.

THE SENATE.

Thursday, March 6th, 1873.

The SPEAKER took the Chair at three o'clock.

Prayers and routine preceedings.

BILL INTRODUCED.

Bill (B). Act respecting the second census. (Hon. Mr. Campbell).

The Bill was read for the first time.

THE COMMITTEE ON PUBLISHING THE DEBATES.

MOTION TO ADOPT THE FIRST REPORT.

Hon. Mr. MACPHERSON moved the adoption of the first report of the standing Committee on Publishing the Debates of the Senate for the present year. He said it was in all respects the same as the contract of last session, with the exception that the debates were published in a newspaper in Ottawa instead of in *Hansard* form. The general, if not the unanimous, desire of the House last session was, that this change should take place. Last year three members of the Debates Committee were appointed to make enquiry about the reporting and publication of the debates of the Senate. After a good deal of investigation, those gentlemen recommended that this tender should be accepted, as being, everything considered, the most desirable that could be adopted. The reports were published in the *Free Press*, copies of which were sent to each senator, and to all the exchanges of that newspaper, and were placed on fyle in the reading rooms of both Houses of Parliament and the leading hotels, besides being sold on the streets. This was the widest circulation that could be secured for the reports—so he had been assured by the reporters.

Hon. Dr. CARRALL desired to take this occasion to express his appreciation of the care which the Hon. Mr. Macpherson had exercised in discharging the duties of Chairman of the Committee, and the fidelity—almost faultless fidelity—with which the reporters had performed their work.

Hon. Mr. ALEXANDER desired, as a member of the Committee, to add one or two observations to what had fallen from the Chairman. The House would observe that the Chairman had taken every precaution to have the contract strictly drawn, to accomplish successfully the objects desired, and still, with all the care that had been taken, it appeared to him that the Committee had not entirely succeeded in their efforts. For instance, the great object of the debates in the Senate being reported, was that they should reach the people, and a stipulation was made that the same should be published in a daily newspaper of this city. Now, in one sense, this was carried out, but not as intended. What were the facts? The debates of the Senate were not inserted in that issue of the *Free Press* which went to their regular subscribers, but after such regular issue there was a subsequent one with the debates, two copies of which were sent to each member of the Senate, and also a copy to each of the regular exchanges of that journal. But this did not embrace many of the leading county papers throughout the Dominion. The members of the Privy Council and House of Commons probably never saw one column of such debates, while there was no circulation amongst the public. He did not venture to express an opinion as to whether there was any blame attachable to any parties. It was, perhaps, more a question whether Parliament should not pay more to carry out the objects to which he had already

referred. If there was any blame to be attached to the Committee, he himself, as as a member of it, was prepared to take his share of the censure. But he could not but feel it to be his duty to state those impressions to the House.

Hon. Mr. BELLEROSE said the people of Quebec were deeply interested in the proceedings of the Senate, and would be glad to see them published in their own language. He regretted that he had been unable to attend the first meeting of the Committee, and he felt that something should be done to have these reports translated into French, but as this would entail great expense he would not ask for it now. Later on the Committee might see their way to having the debates published in French. For the present he believed there should be a shorthand writer to take the speeches that were delivered in that language. There were many representatives from Quebec in this chamber who would take advantage of such an arrangement to speak in their own tongue. It would not add much to the expense to have a French short-hand writer, while it would be a great convenience to those members who found it difficult to speak in the English language, with which they were unfamiliar. He did not intend to oppose this report, and he merely called attention to the desirability of providing for the reporting of speeches in French, in order that the Committee might give it their consideration.

Hon. Mr. DICKEY was quite sure that no fault could be found with the tone or spirit of the remarks which had fallen from the hon. gentleman who had just sat down. In the contract special provision was made for reporting speeches in both languages, and if it was not done, the responsibility rested with the reporters. The House must sympathise with the hon. Senator from Woodstock (Mr. Alexander) in his desire that the reports should be laid before the Governor General, the members of the Privy Council, and the public generally. At the same time, he considered that the arrangement which had been made (and for the making of which he claimed no credit), was better than any which had heretofore existed. The arrangement of last year had given no publicity to the reports. Under the contract this year the debates appeared in a newspaper, which was on fyle in the reading rooms, was sent to all the exchanges of that paper throughout the Dominion, and a certain number of copies were furnished to members of the Senate. It was doubtful whether the hon. Senator from Woodstock could have made a better arrangement than that himself. It was not the fault of the Chairman of the Committee that greater publicity could not be obtained, because no paper in this city would consent to give the space in its regular issue which the reports would require. The Committee had to do the best they could under the circumstances, and the House would agree with him that the reports would go to a larger number of readers now than ever before. Any gentleman who wished to get extra copies to send abroad could easily do so by paying a few cents to the printer ; and that was a convenience which could not be had under any former arrangement.

Hon. Mr. ALEXANDER desired it to be understood that he cast no reflections upon the Committee of which he was himself a member, and he thought he had clearly explained that he recognized the great care the Chairman had taken in making this arrangement. What he wished to convey to the House was that the object they desired to accomplish had not been obtained. It was for the Committee to see whether a larger expenditure was necessary to obtain the publicity for the reports which they required.

Hon. Mr. FERRIER said a request had been made to the Printing Committee to furnish an English copy of the reports to the representatives of the press from the Province of Quebec, who would translate it themselves for their respective newspapers.

Hon. Mr. MACPHERSON said a summary of the proceedings was prepared every day by the reporters, and given to the Associated Press. He might add that at the end of the session when the debates were published in book form, a copy was sent to every daily paper in Canada.

Hon. Mr. CORNWALL agreed entirely with what had fallen from the hon.

member from Woodstock. It appeared to him (Mr. Cornwall), that the chief object in publishing the debates of the Senate, was that the people should receive information of what was said and done in the Senate, and he could not see that that object was in the slightest degree attained by the plan adopted by the Committee. The reports appeared in a special edition of the *Free Press*, published after the regular issue of the paper, and he did not think that anybody in Ottawa would take the trouble to secure copies of that edition, and turn to the fourth page for the reports of the Senate debates. As far as the reports themselves were concerned, they were thoroughly well made, and the typography was excellent. But the great object in view, viz., the circulation of these reports was not obtained by the means adopted. If the only object of having these reports printed, was to preserve them in book form at the end of the session, then, possibly, the work might be done at a smaller price than by the means suggested by the Committee. He could not, himself, say that he considered the agreement which had been made, was at all a happy one.

The report was adopted.

The House adjourned at 4 p. m.

THE SENATE.

Friday, March 7th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (C.) to amend the Act respecting the Police Force of Canada. (Hon. Mr. Campbell.)

The Bill was read for the first time.

THE GEORGIAN BAY BRANCH RAILROAD.

MOTION FOR A RETURN.

Hon. Mr. READ moved,

That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will cause to be laid before this House, copies of all contracts or agreements between the Government and any other parties, for the extension of the Canada Central Railway, since the 1st day of January, 1878; also, copies of all contracts for the construction of the Georgian Bay Branch Railway since the same date, as well as all payments made in connection with such contracts up to 15th February, 1879.

He said: I have been led to give this notice from the fact that, so far as can be learned from the information we possess, the country has paid, or is committed to pay, towards the construction of the Pacific Railway, nearly $25,000,000 already. I dare say that will be a startling announcement to some hon. gentlemen in this House, but that is the estimate I have formed from the figures that have been published. No doubt it will be asked, "How do you arrive at that conclusion?" I will give the data. The expenditure, according to the Public Accounts and returns brought down last session, amounted to $9,490,743. The estimated cost of surveys last year, with contracts let, and the sum required to complete the Fort Frances Lock, amounted to $3,900,000 more. Then, I see by the report of the Minister of Public Works, that subsidies have been granted to the Canada Central Railway, amounting to $1,440,000 more. In addition to that, I find that a contract was entered into by the Government on the 2nd of August last, for the construction of fifty miles of railway from Nipissing Post Office to a point five miles east of Cantin's Bay, on the French River. I have no data on which to calculate the cost of that section, and, I fear, the Government have none either, though, as late as the first of January last, Mr. Fleming says it is about fifty miles. It is quite evident that he had no positive information on the subject, because if he had possessed any, he would have stated the exact length of the section. I have estimated the cost of constructing that section at $30,000 a mile. No doubt it is to be built by schedule prices. In that rocky country—250 miles distant from the capital—we may well suppose that it will be an expensive piece of work, and $30,000 is not a high estimate. That makes the outlay upon that section, $1,500,000 more. And where does it leave you

when it is built?—At Cantin's Bay, 26 miles from the mouth of French River. If we are to have any advantage from the construction of this road, that section of 26 miles must either be built, or the French River must be rendered navigable; because I don't think it is at all likely that the road will be extended on the north shores of Lakes Huron and Superior for a long time to come. The improvement of the river has evidently been under the consideration of the Government, because they have sent out engineers to ascertain what it would cost to make that 26 miles navigable. I hold in my hand the report of that engineer. He estimates the cost of 20 miles. The other six miles may be good navigable water, or it may not; but it cannot cost any less in proportion than the other part. He estimates the cost of building that canal, to connect with Cantin's Bay, at $484,-250, without a lock; and, with a lock, $515,790. The amount is not so very large in these times, when we talk so freely about millions; but there is a footnote to this estimate supplied by Mr. Fleming. Mr. Bell estimates that 59,400 yards of rock under water (which would have to be removed), would cost $6 per yard where it is close together, and, where it is far apart, $7. Mr. Fleming says that his experience would place the cost of that work at not less than $20 a yard. We can easily see the difference in cost between estimates based on these two different calculations. The rock excavations for the lock would cost $988,-980; and where it is intended to make the river navigable without a lock, would cost $1,478,000 for the rock excavation alone, whereas the estimates of Mr. Bell are only $227,600 in one instance, and $457,900 in the other. If this canal is to be constructed, it will entail an outlay of at least $1,000,000; and we may well enquire "whither are we drifting?" A contract has just been given out for the construction of 118 miles of road, to Ginty & Co., involving an expenditure of $2,204,000, and another section, 67 miles, is about to be given to Fraser & Co., to cost $4,130,000. Now all these items added together, make a total of $23,664,734, and this does not include rolling stock, or stations, or finishing the Pembina Branch, or supplying rails for over a hundred miles of road, or without taking into account the demand of Pembroke to be reimbursed for aid granted to the Canada Central: consequently I think my estimate of $25,000,000 is quite reasonable. In fact it can hardly be called an estimate, because the contracts to which I have referred, have all been given out, with the exception of the French River Canal, which must be constructed if the Canada Central Extension and Georgian Bay Branch are to be of any use to the country. And when this road is constructed to Georgian Bay, of what advantage will it be to the public? Have we not already eight railways competing for the traffic of the West; and the distance by one of them, the Midland Railway, would be two miles shorter than by this route, while the Northern Railway route would be only 36 miles longer. We have also lines running to Owen Sound, Southampton, Kincardine, Goderich, Sarnia, and Windsor, all of which will be competing lines, and are now in operation, and none of which pays any dividend to the shareholders, to compensate them for the large amounts invested in these works. In view of these facts, the policy of the late Government in undertaking this work, is to my mind inexplicable. I cannot find parliamentary language strong enough to express my opinion of this wilful waste of the public money. It is an unnecessary expenditure which I have always denounced, and which I feel it my duty to continue to condemn. I like to see the public money expended, if it is done judiciously. I wish the Government to employ more of our people just now, for the benefit of the country; but to expend four millions of dollars upon a useless road, at the present time, and for many years to come, is, to my mind, wilful waste. I merely make my motion now, and when the papers come down, and we see the contracts, we can then discuss the matter more fully.

Hon. Mr. MACPHERSON—I think the House is indebted to the hon. gentleman from Belleville, for having made this motion; at the same time I think debate upon it at any length had better take place when the papers are before the House, and when we have seen what has really been done by the late Government, and to what extent the country has been committed. It is not a pleasing duty to have to criticise

the expenditures of those gentlemen out of whose hands the power has passed; at the same time Parliament has to express its opinion on what has been done, and I shall only say to-day that I cannot understand how the late Government, in the present state of the finances, could have committed the country to a large expenditure for railways between the Ottawa and French rivers. Even if the proposed works were constructed,—and I cannot see where the money to complete them is to come from—I fail to see where the traffic for the road is to be had, or how it will compete successfully with the rival route by water. It is not to be expected that vessels, laden with sixty or seventy thousand bushels of wheat at Chicago, will ascend the French River to unload, where they cannot get return cargoes, when the destination of the grain is Montreal or Quebec; and I very much fear that if the expenditure should be made, it will prove not only altogether unprofitable, but absolutely useless. As I have said before in this House, I fear this expenditure has been made more from political than from patriotic considerations.

Hon. Mr. ALEXANDER—The members of this House have always extended to me so patient and indulgent a hearing that I fear I am led to trespass too frequently upon its time and attention. I am most desirous to-day to offer some observations upon the subject of this motion, because it affords so favorable an opportunity of shewing how large amounts of public money have been wasted in the past. If I venture to offer some suggestions to the party now in power, I trust they will not be deemed to be presumptuous by the leader of the Government in this House. I desire, in the course of my remarks, to refrain from dwelling upon the misdeeds of the late Administration. It is not British practice to strike a man when he is down. It is simply my purpose and object to use the facts of the past history of the Georgian Bay Branch Railway, as suggestive of wiser administration in the future. At its very first inception by the Mackenzie Government, the Senate seized the earliest moment to declare it, by a formal vote, to be premature and unwise. This was before the expenditure of any money. At a later period his hon. friend from Toronto, (Mr. Macpherson), had again and again, with many other members, shewn in the plainest possible language, that it was an unjustifiable outlay of the public money, under our present circumstances,—that for the present, such money might just as well be thrown into the French River or Georgian Bay. A very general hope has been expressed, that the present party in power will gravely hesitate whether they will not postpone so premature a public work; that it would be wiser to sacrifice to some extent what we had already spent, and not throw more good money after bad. Now, hon. gentlemen, will the House bear with me, if in connection with this subject, or motion, I claim its indulgeance to advert to one of the great dangers and difficulties which we have experienced in the past, no matter what party in power, in the working of our highly praised system of responsible government. We cannot but assume that every administration is anxious for its own credit and fair name, to appear honest and not careless of the public money. Every government desires to retain power as long as it can. But we know that the existence of every government, depends upon its retaining a majority of supporters in another quarter, and that the tenure of power is very uncertain, and depends upon meeting and harmonizing at times very conflicting demands and interests. If only broad and patriotic views obtained on the floor of Parliament, there would be no difficulty in ensuring wise and proper administration. But the people of a young country have to be educated up to such broad and patriotic views, if we are to prosper in the future. If selfish and sectional interests are to exhaust the public credit, how are we to go on developing the fertile belt of the Northwest, on which the future hopes of the country rest? Our debt has already swollen to large proportions, while our pledged obligations for the enlargement of the canals and completion of the railway from Thunder Bay to Selkirk, must necessarily throw upon our people increased burdens of an alarming character. Surely under those circumstances, sectional interests should for the time give way. Of what use, to have the ablest statesmen in the Privy Council, if they are obliged to swerve from a sound policy of government? Under our excellent system of responsible government, a certain number of

ministerial supporters, determined to carry through some mere sectional improvement, can at any moment force upon the government of the day their favored scheme. They have only to come to the government in power as a highwayman comes sometimes to the poor wayfarer, and demand that their objects be carried out. Under such circumstances, the government has to do one of two things. It must, when thus threatened, either yield complacently, or give way to the Opposition, who may not feel the same compunctions about yielding to the demand. A strong government of great ability and financial skill, may thus at any moment be driven from power, because they will not swerve from upright principles. Now, where does the safety of the country lie, when sectional interests would waste the public money, and destroy the public credit? There is no check any where but in the veto power of the Senate. Why is it, that the able press of the Dominion do not give more prominence to the debates of this Chamber,—in which are so many men of matured experience, laboring to secure a more wise administration of the people's affairs? We hope that Her Majesty's Commons of this Dominion will not misconstrue our meaning in making those observations. Never, since the first day of our history, has that chamber been composed of so many men of marked ability and large experience as now, and its members generally will endorse every sentiment I have now ventured to address to this House. They know how, in the history of the past, the Senate have, from a sense of duty, thrown out government bills, whereby millions of dollars have been saved to the country, such for instance as the Esquimault and Nanaimo Railway measure. It is deeply to be regretted that our able and powerful press do not give more prominence to our deliberations and proceedings. It is in the public interests that the people of this Dominion should look not less to the Senate than to the Commons for their protection and safety. Our present financial position, with our obligations to develope a territory extending from the Atlantic to the Pacific, will require all the matured wisdom of both chambers to pilot safely the vessel of State, amidst all the conflicting interests. Both Chambers should lay down the broad principle, that for the futures, no large expenditures should be entered upon, unless there is a prospect of their bringing a corresponding increase of population, trade and revenue. No sectional project should be entertained for a moment, which does not present to us that reasonable prospect. If, in the future, we fritter away the public money upon unworthy objects—upon sectional colonization roads, which should be undertaken by the local government, upon ill-judged purchases of railway material, upon Fort Frances Locks, far remote from the future highways of commerce, and upon wasteful and unnecessary surveys, how can we hope to find the means of carrying out the great work of developing our prairie region in the Northwest, and throwing in there such a population that we can aspire at some future time to a national position,—to a position that would be safe, alongside the great Republic on our southern frontier?

Hon. Mr. CAMPBELL—I have no objection to the Address going.

Hon. Mr. PELLETIER—I do not intend to reply to the charges made against the late Government, as I quite agree with some of the hon. gentlemen who have already spoken that this is not the proper time to discuss them. I was surprised to hear some of the hon. gentlemen who expressed that view, indulge so freely in charges against the late Administration. When the papers are brought down, they will throw some light upon the subject. I am anxious to know whether the Government will adopt the suggestion made by the hon. Senator who last spoke. Last year we were advised to abandon the Fort Frances Canal, and now our successors are advised to stop work on the Georgian Bay Branch Railroad. Will the hon. leader of the Government inform the House whether he will act upon the suggestions of his friends?

Hon. Mr. CAMPBELL—As to proceeding with the work on the Fort Frances Lock, I am not able to give any information. I believe now, as I have stated before, that it will not be of any great advantage to the country, but it is not probable that it will be abandoned at such an advanced stage of the work. As to the motion of my hon. friend, the Gov-

ernment has no objection to bring down the papers asked for, and if any discussion is to take place on this subject, I think it would be far better to wait until we have the documents before us.

Hon. Mr. TRUDEL—I do not think it is proper to leave the House under a false impression, which may have been created to a certain extent by some remarks which have fallen from hon. gentlemen who have taken part in this discussion. I admit that it is improper to discuss such an important question without having the papers before us. But we have heard enough to show that there is something of the western interest of Old Canada represented in this debate, and the other side of the question should be heard. I must congratulate my hon. friends upon the anxiety they show to save the money of the country. I think there is but one opinion upon this subject. We all feel that great care should be exercised in the expenditure of such large sums upon public works. But these remarks should not be applied solely to works east of the Great Lakes. My hon. friend from Belleville, (Mr. Read), has chiefly denounced the Georgian Bay Branch, and says that money expended on it is wilfully wasted. The hon. Senator from Woodstock coincided in that opinion, and said that a majority of this House declared last session that the expenditure on the Georgian Bay Branch was premature and unwise. On the occasion to which the hon. gentleman has alluded, I voted against this undertaking, but the stand then taken by myself and a great many hon. members of this House, had not the significance which the hon. Senator has given to it. Our objection was not to the expenditure upon the Georgian Bay Branch, but to the location of the road, which we considered was not the proper one. Explanations were given at the time in this sense, and it was perfectly understood that the representatives of Quebec voted, as they did, for that reason and for no other. In fact the Government has been obliged to recognize the wisdom of our views, by abandoning that route altogether. It has been found almost impossible to build a railway by the route first selected, but it does not follow that no road should be built in that direction. I do not think that it is because of our financial condition that honorable gentlemen wish to see all works east of the Great Lakes set aside. When the Pacific Railway scheme was originated, it was understood and stipulated that work should be begun simultaneously at both ends of the road, the east being at a point south-east of Lake Nipissing. This was not only set forth in a resolution adopted by the House of Commons, but actually embodied, as far as I recollect, in the Act of 1872, providing for the construction of the Pacific Railway. From what I know of the feeling of the people of my Province on the subject, I am satisfied that they would never have consented to the passage of the Pacific Railway Bill, if it had been represented to them that the construction of the section east of the Great Lakes would have been postponed to some future time. The Province of Quebec, with a view to completing the highway from ocean to ocean, have commended a system of railways which, when built, will cost about $6,000,000; and now that our great work is almost finished, it is not likely that we will consent to the abandonment of the eastern section of the Pacific Railway, because the money expended upon it would be considered by some hon. gentlemen as wilfully wasted. I ask the hon. Senator from Belleville to state what amounts have been wilfully wasted east of the Great Lakes. I do not believe the total is very large. We have the amount paid to Mr. Foster on the abandonment of his contract. The loss, I the country on that transaction was to believe, $40,000.

Hon. Mr. MACPHERSON—The Georgian Bay Branch was not a part of the Pacific Railway scheme.

Hon. Mr. TRUDEL—True, but the hon. gentleman will recognize the fact that if the eastern part of the country is to be deprived of this section of the line, it is but fair that some compensation should be given them, which will aid them to develop the country until the through road can be finished. We are quite willing to renounce the Georgian Bay Branch, provided you build the main line east of Thunder Bay. My hon. friend says the Georgian Bay Branch is no part of the Pacific Railway—is the Pembina Branch part of it?

Hon. Mr. MACPHERSON—It was part of our original scheme.

Hon. Mr. TRUDEL—It is a branch which was built for the local interest of the north-west, and certainly I do not find fault with its construction. But what would my hon. friend from Belleville say, were the hon. Senator from Manitoba to contend, that " in the present state of our financial affairs, we should not build the section east of Winnipeg, and that any expenditure upon the section between Thunder Bay and Selkirk, would be a wilful waste of the public money. He might argue that there are outlets for the whole of the business of the north-west, by the Pembina Branch, and that they can trade with the United States. He might say: Let us confine our efforts to build the road west of Manitoba." I am sure the hon. gentleman representing Ontario, would not consider this argument a sound one ; yet there is a good deal of force in it. If it is no use to spend money upon the Georgian Bay Branch, because it would be idle six months of every year, it would be equally useless to build a road between Thunder Bay and Winnipeg, which would be idle during the same period, the whole trade of the North West having to take, during six months, the United States route by the Pembina Branch, until the whole of the eastern section is built. The old provinces of the Dominion have to bear the burden of this great undertaking, and they would never have assumed it, if they had not expected a return from it. That return they look for in the growing business which our cities will receive from the traffic of the North West. The hon. Senator from Belleville says there will not be sufficient traffic during the next fifty years to sustain the Georgian Bay Branch Railway, because there are eight competing roads in existence. There is a good deal of truth in his statement, but the point is this, that the Pacific Railway is not intended for local traffic only, but chiefly to open the easiest roads for the products of the North West, and if they wait until those eight competing roads have sufficient traffic to pay dividends to their shareholders, neither we, ourselves, nor our children, will see the completion of the great Trans-continental highway. The hon. Senator from Woodstock says that we should school the country, and I understand that the view of the hon. gentlemen who have spoken, is to school the public mind to believe that all expenditures on the Pacific Railway east of Thunder Bay are useless. I have already explained that a very different view is entertained by the entire population of the Province of Quebec and of the Ottawa Valley. Some hon. gentleman will say that we cannot build the whole Pacific railway, and that it will be difficult enough to find money for the construction of the most important sections of it from Thunder Bay to Selkirk, and from Selkirk to the Saskatchewan. In that case it would be a question for us to consider whether the present mode of building the Pacific railway is the proper one. I expressed the opinion last session, when this subject was under discussion, that we should return to the original scheme, by which we would pay for at least half the work by land grants, and that it was the only proper system, to be adopted, in order to colonize the country as the construction of the road progressed. I consider that the whole country east of Lake Nipissing will derive great benefit from the opening of the Georgian Bay Branch Railway, and that it is a necessary work to bring the stream of traffic from the west to Quebec and to the Maritime Provinces.

Hon. Mr. BELLEROSE—I should like to know from the leader of the Government whether he will deny, that in 1872 the policy of the Macdonald Government was that the Pacific Railway should start from the south-east point of Lake Nipissing?

Hon. Mr. CAMPBELL—That was the policy of the Macdonald Government.

Hon. Mr. PENNY—Hear, hear ! It appears to me then that we have been schooling the country by our attacks upon the Georgian Bay Branch, and by representing that the late Government was responsible for the policy which their predecessors had already adopted. I am quite satisfied the hon. gentleman, who is leader of the Government in this House now, will not say that the present Government are going to abandon what is substantially the project to which the hon.

gentleman from Laval has just alluded. I am satisfied of that. I do not think they will do so, although the merchant at Toronto spoken of by the hon. gentleman (Mr. Alexander), and a great many other merchants at Toronto are prepared to sacrifice very many half millions of dollars to prevent this work from being carried on.

Hon. Mr. MACPHERSON—So far as I am concerned, I am not actuated by any sectional feeling in this matter. The hon. gentleman behind me (Mr. Trudel) said he thought the gentlemen from Toronto and the West, were opposed to eastern interests. I think he has not done justice to the hon. Senators from the west; he certainly does not do me justice. I never had such a feeling, and hope I never shall have. The question which influences me is what is prudent and wise in the situation in which we are placed. The eastern terminus of the Pacific Railway, as I understood it, is to be where the hon. gentleman from Laval said, the south-eastern point of Lake Nipissing—the Georgian Bay Branch, and the Canada Central Extension formed no part of the national scheme.

Hon. Mr. BELLEROSE—Hear, hear.

Hon. Mr. MACPHERSON—Therefore the expenditure incurred upon those works, should not have been undertaken as part of the large scheme, unless, at all events, the finances of the country permitted it. If there had been a terminus of the Pacific Railway, at the south-eastern end of Lake Nipissing—that is, if the through line from the west had been in operation to that point—it would have been a strong argument in favor of connecting the lines at this end with the western system; but there is no line there, and there can be none for a long time to come; therefore, why should we build lines that will serve only as connections, before they are required? If the money could be spared, the proper use to make of it would be to expend it in the Northwest, and open up that vast country for settlement, instead of building railways where there is no traffic, and where there can be none. I think it behooves these gentlemen who are pressing for the construction of these lines, to prove to this House and to the country, that there will be something gained by their construction. But for hon. gentlemen to urge this expenditure of public money, simply because of the geographical locality is, I hold, altogether unjustifiable, especially in the present state of the finances. We all know, at least all who have looked at the public accounts, that as the result of the past four years' administration, we have had deficits amounting to between six and seven millions of dollars. How is it possible that we can go on under such circumstances, and continue to spend money largely? How can we expect to borrow money, if we make an unwise use of it? And would any person be able to justify the expenditure of money on the Canada Central Extension, and the Georgian Bay branch at the present time? I do not look upon it in any sense as a part of the national road or scheme. If it is to be built, (or if it is required,) it should be by private enterprise, and if there is not sufficient private enterprise to build it, the Province of Ontario should assist. I hope I have disabused my hon. friend's mind of the idea that we from the West are animated by any local or sectional feeling in this matter. The route I mean as the one that must compete successfully with a railway on the North shore of the Georgian Bay, is the Welland Canal. The trade on that canal does not affect the prosperity of Ontario beyond the banks of the canal. The canal has been constructed at the expense of the Dominion. The St. Lawrence canals are being enlarged by the Dominion. They all lead to the seaports of Montreal and Quebec, and it matters little to those cities whether the grain of the West is carried by the water route or by the proposed railways. Its ultimate destination is the same, but I believe if the railway were built, it could not compete with the water. The traffic is through traffic, destined for Montreal or Quebec, for transhipment. I hold it to be unwise in the present condition of our finances to spend money unnecessarily; and surely it is unnecessary to spend millions of money on the railways covered by the contracts for which my hon. friend has moved.

Hon. Mr. TRUDEL—With the permission of this hon. House, I desire to say a few words by way of explanation. I do not attribute to my hon. friend, or

to any hon. gentleman who has spoken, any improper motive or sectional feeling, but it is well known that we are in this Chamber representing the interests of different parts of the country, and I think it is but fair that all sections should be represented. It has not escaped the notice of this House that the hon. gentlemen who have protested so strongly against what they call wasteful expenditure on the Georgian Bay Branch and Canada Central Railways, have to a certain extent, perhaps without knowing, been actuated by what might be called sectional feelings. It is a striking circumstance that they all belong to the same province, and all represent the interests of Ontario West. Of course they may be under the impression that the interests of some other parts of the country may be considered of very little importance. At all events, I think that what my hon. friend has said, is not entirely justified by the facts. The hon. gentleman has stated that those works—the Georgian Bay Branch and Canada Central Extension—are of no utility at all. But if the Canada Central Extension were continued to Lake Nipissing it is very easy to see that it would not require a very large expenditure to improve the navigation of French River, so as to connect Lake Nipissing with the Georgian Bay. I shall not occupy the time of the House to show that it is by far the shortest route to the Atlantic, and I do not see how a few thousaud dollars expended in opening up that route can be considered such a waste of money, when so much is expended in other directions. The people of Lower Canada are open to conviction, and are ready to admit that in the present state of our finances it may be a question whether such work may be done this year or next year, or in the future, but there is a great difference between this view and the view taken by my hon. friend, that it is an entirely useless expenditure; and it is only against that I protest.

Hon. Mr. READ—I would remark to my hon. friend that all the money for those railways will be expended in Ontario, and, of course, Ontario must be benefitted by the whole of the outlay.

The motion was agreed to.

Hon. Mr. Trudel.

PLEURO-PNEUMONIA.

A SUGGESTION.

Hon. Mr. CHRISTIE said: Before the adjournment of the House, I desire to read a letter which I have received, and which is of great importance to this country. I refer to the causes which are said to have led to the issue of an Order of the Privy Council of England, relative to the importation of cattle into Great Britain. This letter was written by Dr. Smith, Principal of the Ontario Veterinary College, and I will now read it for the purpose of calling the attention of the Government to the importance of obtaining the evidence referred to in this connection as speedily as possible :—

"TORONTO, March 6, 1879.

"DEAR SIR,—

"I have to-day received a letter from Professor Williams of Edinburgh, who states that he had an opportunity of seeing over a hundred of the cattle slaughtered [that is the cattle shipped to Liverpool by the steamer *Ontario*]. He saw almost all the diseased ones, and he maintains that the cattle were suffering from *sporadic pleuro-pneumonia*—not the contagious form—the result of exposure, etc. Now, Prof. Williams is a very high authority, and is recognized as the first pathologist of the day. As I stated in my letter of yesterday, we have no proof whatever that the cattle referred to were diseased when they left this country."

Now, if it be a fact that these cattle which were slaughtered on the supposition only that they were laboring under contagious pleuro-pneumonia, it is very important to the interests of this country that we should obtain, as I said before, as speedily as possible, the evidence of Prof. Williams, who is the principal of the new Veterinary College in the City of Edinburgh, and, as Dr. Smith states, one of the leading pathologists of the day. I would suggest to the Government that it is important to know whether the basis of the action of the Privy Council of England was justified by the facts of the case.

Hon. Mr. CAMPBELL—No one is better qualified by knowledge and practical experience, to draw attention to this subject, than my hon. friend. I am sure that the hon. member of the Government

who has charge of the Department of Agriculture, will be glad to make the enquiry my hon. friend has pointed to, and to obtain the evidence of Doctors Smith and Williams. I only hope the information my hon. friend has, will turn out to be correct. I am disposed, however, to doubt it very much, because the English Government, before taking the step, were advised by gentlemen, I suppose, who are of equally high standing, and entitled to form opinions in the same way, and, perhaps, as authoritatively, as Dr. Williams. But, it is possible that the opinions they have had were erroneous, and the disease that induced them to order the slaughter of the cattle may not have been of an infectious character. If the hon. gentleman will allow me to have the letter which he has read, I will with great alacrity call the attention of the Minister of Agriculture to the subject, and the matter will be promptly attended to by the Government, when it comes from my hon. friend who is so well qualified to speak on the subject.

The House adjourned at 4.35 p.m.

THE SENATE.

Monday, March 10th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

PETITION OF MARY ANN SKINNER.

REFERRED TO COMMITTEE.

Hon. Mr. DICKSON moved :—

That the petition of Mary Ann Skinner, widow, of the city of Ottawa, praying for relief, be referred to the Select Committee appointed to examine and report upon the contingent accounts of the Senate for the present session, with instruction to report thereon.

The motion was agreed to.

THE FISHERIES AWARD.

PROPOSED DISTRIBUTION OF THE MONEY.

Hon. Mr. POWER—I rise for the purpose of calling attention to the propriety and desirability of providing that the sum paid to the Government of Canada, under the Fishery Clauses of the Treaty of Washington, shall be appropriated for the benefit of those Provinces of the Dominion whose in-shore fisheries formed the subject matter of the award of the Commissioners appointed under the Treaty. The thanks of the House are due to the hon. Senator from Saugeen, who first discovered this mode of bringing matters before the Senate. It is very much more convenient in some cases than introducing a resolution, and has advantages over asking a question, because it enables us to consider a subject in a rather broader way than upon a resolution or a question. The proposition which is intended to be laid down in the notice I have given, is that the sum of $4,500,000 which has been set apart for the Dominion out of the award made under the Fisheries Clauses of the Treaty of Washington, should not be placed in the Treasury for the purposes of the whole Dominion, but that it should be appropriated for the benefit of those Provinces for the use of whose in-shore fisheries this money is compensation. The reasons why this course should be taken, seem to me very plain. In the first place, it must strike every hon. gentleman who looks at this question impartially, that this money being compensation for the rights of our fishing population which have been suspended for a certain time, should go to the people who have suffered the loss. I know it may be answered that these fishing rights are, after all, a portion of the property of the Dominion, and the Provinces are not legally entitled to this money. Now, I am not going to deny, that, possibly, looked at in the strictest way, the Dominion Government and Parliament have the power to dispose of this money as they please. But I certainly think that they have not an equitable right to do so. When the Dominion Government made preparations for the trial of this great case in Halifax, they did not appoint counsel representing the Dominion as a whole, but five counsel were employed, representing the five provinces interested, Newfoundland, Quebec, Nova Scotia, New Brunswick, and Prince Edward Island. It is clear then, that in this respect, at any rate, the late Government recognized the rights of the several provinces to be heard before the

commission. I think that this is an argument which ought to have a good deal of weight with the present Administration. The Island of Newfoundland, which, for all practical purposes, was in just the same position as the other provinces I have named, has received $1,000,000 as her proportion of the award; and naturally one would suppose that the other provinces whose fishery rights have been shared with the Americans for a certain term of years, would receive their respective proportions of the award also. I think that the case of Prince Edward Island is perhaps stronger than that of Nova Scotia, New Brunswick, or Quebec; because at the time the Washington Treaty was made, Prince Edward Island was an independent province, just as Newfoundland is to-day; and it seems to me that the claims of the Island should not be prejudiced in the distribution of the award, because of its admission into the Union. It is one of those things which would be likely to lead the people of that province to regret their connection with the Dominion; because if the union had not taken place, she would probably have received as much of the award as has Newfoundland. Her fishing grounds are extremely valuable, and have been much resorted to by the American fishermen. The same argument applies, though I admit not with so much force, to the provinces of Nova Scotia, New Brunswick, and Quebec. If Newfoundland and Prince Edward Island are entitled to receive their respective shares of the award, I think that the provinces I have just named should be in the same position. The fact of their being portions of the Dominion should not prejudice their rights. The strongest argument of all, in answer to the objection mentioned, in my opinion, is the one I have already suggested, that what has been taken away from the country has been lost to the Maritime Provinces only. They have given up a portion of their property, and practically the people of Ontario, Manitoba and British Columbia had no interest whatever in the fisheries of the lower provinces. Theoretically, no doubt, they had the right to go there and fish, but practically, it is a right they would never have exercised, and one which I venture to say, ought not to be taken into consideration. The people of the Maritime Provinces gave up rights which were as peculiarly their own, as the land along their shores. I think that the inshore fisheries are, for all practical purposes, as much the property of the people who inhabit the coast as the land itself; and no hon. gentleman would contend that, if a portion of the land of those provinces had been taken for public purposes, the compensation should go to any one but the inhabitants of the province which sustained the loss. The people in the other parts of the Dominion cannot complain that they have received none of this sum, because they have really given up nothing, and are entitled to no return. In order to make my views upon this point clear, I shall put this case: Supposing that the portion of the Treaty of Washington which gave the Americans the right to use the St. Lawrence River and the Canadian canals, had given in return for this privilege a certain sum of money, instead of the very barren right (as it has turned out to be) of using certain canals in the United States if the consent of the States could be obtained, and that money had been paid to the Government of Canada, would not the people of Ontario and Quebec naturally claim, that they should receive this money, because it was paid for the use of property which lay altogether within their borders, and belonged to them exclusively before Confederation? I am quite certain that, in such a case, no gentleman from the Maritime Provinces would be disposed to repudiate the claim made on behalf of Ontario and Quebec; and I think that in the present instance, the Upper Provinces, particularly Ontario, should be as ready to recognize the exclusive claim of the fishing population to this money. Under this same Washington Treaty, as every one knows, the sum of $15,000,000 was paid by Great Britain to the United States for certain injuries supposed to have been committed against a portion of the American people, by cruisers which were fitted out in British waters. If the American Government had taken the ground which may possibly be taken here, that this money should be placed in the Treasury for the benefit of the whole nation, it would have been considered exceedingly unfair; but the American Government have not done anything of the sort. They have appropriated the money to pay the claims of those who suffered

loss; and I think we ought to follow their example. It must strike any one as being unfair to take this money, which has been paid by the Americans for certain rights acquired on the coasts of the Maritime Provinces, for the purpose of paying the debts of the Dominion, which have been incurred in the construction of the Pacific Railway, and the enlargement of the canals; because, practically, that is what will be done if the money goes into the general treasury. It may be said that the Lower Provinces have not any reason to complain in that way, because they have the Intercolonial Railway. I am not going to discuss the Intercolonial Railway question, further than to say that a great many gentlemen in the Upper Provinces are under a grave misapprehension as to the relative benefits received by the different parts of the country, from the construction of the road. They seem to be under the impression that all the benefits that have arisen from the opening of the Intercolonial Railway, are monopolized by the Maritime Provinces. I think that is a great mistake, and that the Upper Provinces have been the greater gainers. While it is a very convenient road for passengers from the Lower Provinces, who are travelling to Quebec, Montreal, Ottawa, and the West, they could come almost as conveniently by the road through the State of Maine. If you look at the freight business of the Intercolonial Railway, it will be found that it is principally from the Upper to the Lower Provinces, and consists of goods sold by merchants of the West to the people of the Maritime Provinces, who have to pay for it in hard cash. Very little of the produce of the Lower Provinces comes west by the Intercolonial Railway, and thus it has rather injured than benefitted our mercantile classes. I do not think, therefore, that the fact that the Intercolonial Railway has cost a considerable sum of money, should be used as an argument against the distribution of this award among our fishermen. That is the first argument which I propose to lay before the House, and I think it ought to strike every one as having a good deal of force. The second argument is not one of a legal character exactly, and perhaps not of great logical force; but it is one which ought to have a good deal of weight with the Government and this House; that is the argument which is to be drawn from the financial position of the various provinces. All the Lower Provinces, including Quebec, are in financial straits. The subsidies allowed to them are just now not sufficient to meet the demands upon their treasuries; and I think it is an exceedingly desirable thing if it can be done without difficulty, that these annual subsidies should be supplemented; and I do not know of any fund from which the money could be more appropriately drawn than this, which has so fortunately come into the hands of the Dominion Government. Now, Ontario is not in the same position as the Lower Provinces. It has had almost every year, I believe, up to the present time, a surplus. I do not know whether it has this year or not.

Hon. Mr. MACPHERSON—The Ontario Government is spending more than her revenue amounts to every year.

Hon. Mr. POWER—At any rate, Ontario has a very considerable sum of money at her credit, and if the Government of Ontario will only be moderate in their expenditures.

Hon. Mr. MACPHERSON — Hear, hear.

Hon. Mr. POWER—I do not say that they are immoderate, but if they are moderate in their expenditures, they will have no difficulty in making both ends meet. Ontario has indulged more than any other Province in the luxury of railroads, and other improvements which they could have done without. I believe that the subject of the distribution of this award has already been before the Government of the Dominion. I understand that Nova Scotia, New Brunswick and Prince Edward Island have all submitted claims for increased subsidy—some of them in connection with this very matter, and others independently of it. Recently the subsidies granted to Nova Scotia and New Brunswick have been diminished to a very considerable extent; and it seems to me that the Government of the Dominion have an opportunity, without taking anything from the people of the Dominion, to make up to these provinces the amounts which they have lost;

and I hope the party in power who have always declared themselves to be very friendly to the Maritime Provinces, will seize the opportunity now offered to appropriate the money in the way I have suggested. Then, there is another argument similar to the one I have just used. It is this: Now that we have been in the Confederation for nearly twelve years, there has been an opportunity to ascertain what the effects of the union have been on the different provinces; and I think they will be found to be something as follows: Before the union, the tariff of Old Canada had been 20 to 25 per cent., while the tariff of Nova Scotia had been only 10, and of New Brunswick 12½. With these exceedingly low tariffs the Lower Provinces had ample means to meet all the pressing calls on their exchequers, and were getting along in a very satisfactory way. The Province of Canada was at that time in a very critical position; and there had been a succession of deficits before the union. Since then things have changed. The Province of Ontario has had very considerable sums of money over and above what was necessary for conducting its public business. The Lower Provinces, which have not been extravagant, have not had money enough for the public services, and are now threatened with serious financial difficulties. I believe that Quebec is in as bad a position as the others. Looking at this result of twelve years of Confederation, the people of the western portion of the Dominion ought to be disposed to take the financial condition of the Maritime Provinces into consideration, and allow this money to be used for their benefit. There is another argument which I think is stronger than any I have yet used, and that is the future effect of the National Policy on the people of the Maritime Provinces, especially the fishing population. It is understood that the adoption of that policy will involve a very considerable increase in most of the duties. Now, the people whose fisheries have been opened to the Americans cannot be protected. We import very little fish; and the only protection that our fishermen had was taken from them by the Washington Treaty, which gave the fishermen of the United States the right to come within the three-mile limit. It seems to me that it would be only right and fair to give to the people from whom that protection has been withdrawn, the money which has been received from the award. The Government propose to protect almost every class of the community, and I hope that their efforts in that direction may be successful. They cannot protect the fishermen; but they could use this money for their benefit. There is another way in which the Government might make up for the loss sustained by our fishermen, and that is by giving bounties. That form of protection, however, has generally been held to be objectionable. Aside from this fact, that the fishermen are to have their burdens increased, the other classes in the Maritime Provinces are also to suffer from this proposed policy. The population of the Lower Provinces is made up chiefly of classes who cannot be protected. I should wish to call the attention of the House to some figures in connection with this fact, which hon. gentlemen can verify by referring to the second volume of the last census. The whole number of persons in the four sea board provinces enumerated in the census—adult males, I presume—is 546,414. Of that whole number, the agriculturalists form nearly one-half, 250,804. I desire to call the attention of the House to the fact that while it may be possible that the agriculturalists of Western Canada may be benefitted in some way by a protective tariff—though that is a question about which there are differences of opinion—it is perfectly clear that the farmers of the Maritime Provinces cannot be protected, because they have no competition from the United States. The American goods that enter into the Maritime Provinces are not such as to come into competition with the agricultural products of those provinces. The only competition which our farmers suffer from, comes from the Upper Provinces. We produce no flour, and consequently the importation of American flour only enables our people to buy cheaper, and this is, of course, to their advantage. Consequently this large element of the population—nearly one-half of it—has nothing to gain by the National Policy. The commercial class is given at 46,119, and they are in the same position as the agriculturalists. The only effect of the National Policy upon them may be, to take some of the business which is now in their

hands away from them, and give it to the merchants and manufacturers of the Upper Provinces. The domestic class number 33,269. American labor does not enter into competition with theirs. Then the professional class numbers 22,385 ; and of course they cannot be protected. Then there are 74,880 who are not classified. The industrial population is placed at 118,937. The total number given in the census as strictly manufacturers, is 2,613. However, after going over the different columns of table 13 of the census, and selecting all those who could by any possibility be described as the manufacturing class, and who might be beneficially affected by the National Policy, I find that they do not number altogether 25,000. The number of fishermen alone is 17,442. The total number of miners in the four provinces was only 2,392. The House will see that there are at least 520,000 adults out of the 546,414 in the Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island, to whom the increased tariff will simply be an increase of taxation, and who will derive no benefit whatever from it. I think that when the Government are entering upon such a policy, they should compensate the people of the Maritime Provinces for the losses they are about to sustain. I think that it is very fortunate, almost providential, that this money has been placed in the hands of the Government for this purpose.

There is another way of looking at the importance of the different interests to which I have referred. I have consulted the Trade and Navigation returns for the past year, and I find the exports from the four provinces I have mentioned, are as follows : From Quebec the total exportation of manufactured goods (including no doubt some of the manufactures of Ontario), was $1,689,720, out of a total export of $27,075,621. The great bulk was produce of the forest and farm. The fish export from the Province of Quebec was valued at $864,499. I now come to the Province of Nova Scotia. The export of coal (the only interest of the Province which can be protected), last year was $371,455, out of a total export of $7,050,656 ; while the value of the produce of the fisheries exported from the Province was $4,322,975. The returns for New Brunswick show that the exports of manufactures last year were $481,211, and of fish, $800,445, out of a total export of $5,909,172. Prince Edward Island exported of manufactures $325,519, and of fish, $347,787 out of a total export of $1,693,030. The bulk of the exports from that Province consisted of farm produce. For the four provinces I have named, the exports were : of manufactures, $3,053,037, and of fish, $6,337,656, out of a total export of $41,728,479. The exports of manufactured goods formed only a very little more than one-fourteenth of the whole. It will be seen from the figures I have quoted, how very important are the interests in the Maritime Provinces, which will be injuriously affected by the National Policy, and how strong are their claims for consideration in this Parliament. It seems to me that, under the circumstances, it would be exceedingly unfair to take the money which the Dominion has gained at the expense of those people, and employ it for the benefit of the manufacturing and agricultural classes in the western part of Canada, where large sums of the public money are being expended at the present time. With reference to the way of ascertaining the proportion of this money which each province should get, (if the Government think fit, as it is undoubtedly wise and just to devote it to the Maritime Provinces), there may be differences of opinion ; but it ought not to be difficult to made a satisfactory division. The Commissioners had no difficulty in deciding how much should be given to Newfoundland, and, no doubt, the amounts payable to other provinces could be ascertained in the same way, or by arbitration or mutual agreement. If the Government once make up their minds to dispose of the money in the way I have suggested, they will have no difficulty in finding a way to make the division. There are a great many considerations which would probably enter into the judgment of any tribunal appointed to decide the question. The length of sea coast has been suggested by one hon. member in the other branch of the Legislature ; the value of the fish exported is another element, but I think the strongest one is the value of the fishing grounds in each province. As to the proper method of disposing of the money, if it should be decided to distribute it in the manner suggested, it

is possible that different modes might be adopted in the several provinces interested. It has been suggested that the money might be appropriated for the direct advantage of the fishermen, in the way of providing breakwaters, etc., which would enable them to fish with convenience and safety on their shores. I think that, probably the most satisfactory way would be, not to pay the principal money over to any one of these provinces. I think that the principal ought to be retained by the Dominion Government, and that the yearly interest at five per cent. should be used for the benefit of the Maritime Provinces. As far as Nova Scotia is concerned, my individual opinion is that the most satisfactory way would be, to add the interest at five per cent., on whatever amount is found to be due to that Province, to the annual subsidy; but that is a matter which can be settled at a future time. I shall conclude, honorable gentlemen, by saying, by way of recapitulation, that the amount of this award should be appropriated for the benefit of those portions of the Dominion for the right to share in whose inshore fisheries it was paid; because those whose rights and property formed the consideration for the award, have a strong and almost irresistible natural claim to the moneys awarded; because the financial condition of the provinces in question renders financial help necessary to enable them to satisfactorily conduct their public business; because the effects of the union have been, in a pecuniary way, injurious to those provinces; and because, under the proposed National Policy, the various interests of those provinces—which are very important—will suffer great loss, for which the only compensation in the power of the Government to make at the present time is the appropriation of this award for their benefit. There is just one thing to which I wish to refer, before sitting down. I do not think that any reference has been made to it in this House before now. I think that the country is to be congratulated on the fact that the management of the case for the British Government was placed in the hands of Canadians. I think the result will be that in future cases, where our interests are at stake, they will, in all probability, be committed to the care of Canadians. Several hon. members of this House were in Halifax at the time the Fisheries Commission was sitting, and can testify to the unremitting attention which was given to the matter by the late Minister of Marine and Fisheries, who was constant in his attendance at the meetings of the Commission, and by the officers of the Government here, particularly Mr. Miall of the Inland Revenue Department, and W. Whitcher, of the Marine and Fisheries Department, and the great ability shown by the counsel of the Dominion. They met some of the most prominent counsel of the United States, and I do not think that Canada had any reason at all to be ashamed of our representatives, as a rule. I hope that whenever any question of a similar international nature comes up, we shall be represented in the same way. I have to thank the House for having listened so patiently to my remarks.

Hon. Mr. KAULBACH—I feel deeply interested in the subject which has been brought before the House by my hon. friend from Halifax; but I regret the time and the manner in which it has been done. I fully concur with him in his last remarks, in his reference to the gentlemen who conducted the Canadian side of the case before the Halifax Commission. It has been the first time that Canadians have been allowed to take part in treaty negotiations where Canadian interests were concerned. It is the first occasion, practically, that Canadian interests have been handed over to us to manage, and the result has shown that Canadians are capable of looking after their own affairs, in a manner not only satisfactory to ourselves, but without injury to the peace, good-will and cordial relations existing between England and the United States. Canadians are better able to cope with the tactics of Americans than Englishmen are, and I hope that in any future negotiations, in which Canada has an interest as a part of the British Empire, Canadians will be invited to take part, as they are better able to understand such questions than English statesmen can possibly be. I think my hon. friend has not established such a case as I would like to see made out for Nova Scotia, more especially for Nova Scotia fishermen.

He has touched upon subjects which, in my opinion, would have been much better delayed until after the Budget had been brought down, to see what concessions are to be made to the fishermen of the Maritime Provinces. I think my hon. friend has anticipated, very much to the injury of Nova Scotia, what the policy of the Government is to be, and has suggested injuries and troubles to the people of Nova Scotia that, may have no foundation in fact. With regard to the manner in which the fisheries award should be distributed, I do not agree with him. I think, to a large extent, what the fisheries have gained the fisheries should keep, as my hon. friend from Prince Edward Island (Mr. Haythorne) sug-suggested in his remarks, during the debate on the Address. The fisheries of Prince Edward Island are very productive, but the people there do not farm them as largely as we do in Nova Scotia. The County of Lunenburg, to which I belong, has quite as large an amount invested in the fisheries as the whole of Prince Edward Island. If my hon. friend will allow the amount invested, and the amount and the value of the products, to be the basis for distribution, which he should have done, Nova Scotia, or the fishermen more properly, will get the lion's share of the award to which it would be entitled. The annual production of the fisheries of Nova Scotia, my hon. friend has shown, amounts to over four and a half millions of dollars, while the whole production of the fisheries of the Maritime Provinces he has shown amounts to about six and one-half millions of dollars per annum; therefore, I do not think my hon. friend from Halifax has made out as good a case for Nova Scotia as she is entitled to. If that standard is to govern the apportionment of the award, Nova Scotia could rightly claim three-fourths of what is left after Newfoundland gets her share. But, on the other hand, we cannot lose sight of the fact, that when Nova Scotia came into the Confederation, it brought its assets with it, and her fisheries became the property of the Dominion. I do not wish to raise any sectional feeling in this discussion, and regret that my hon. friend's remarks tended that way. I believe that great consideration and large concessions will be made to Nova Scotia, and to her vast industry, the fisheries, in the consideration of the National Policy by the Government, but I should be sorry to see any attempt to create sectional feeling in the division of the award.

Hon. Mr. POWER denied that he had done so; he had only given his private opinion.

Hon. Mr. KAULBACH—My hon. friend must know that the expressions of a public man in this House are not looked upon as private opinions, and I think the remarks of my hon. friend are calculated to materially prejudice the interests of Nova Scotia. Then, the hon. gentleman raised a point in connection with the Intercolonial Railway, that should not have been raised. I do not consider that the Intercolonial was built solely in the interests of Nova Scotia and New Brunswick; such a position was never before taken in this Chamber, and, I do not think Ontario has ever so undervalued the Intercolonial Railway, as to regard the expenditure on that road as having been made for the sole benefit of the Maritime Provinces. Then, so far as bounties to fishermen are concerned, I do not know what the policy of the Government will be, but my friend knows that bounties were abandoned before Confederation. I believe the interests of the fishermen of Nova Scotia, as well as the interests of every other industry in the Dominion are in the hands of able and experienced men, and that they have been, and will be, carefully considered by the Government, in the formation of their policy, as the prosperity of the Dominion, as a whole, depends upon the prosperity of each separate province. My hon. friend cannot be sincere when he expresses a fear that an injury will be done to Nova Scotia by the imposition of a duty upon flour. Nova Scotians decided that on the 13th September last. I do no not believe that such a duty will increase the price of flour one cent to the consumer in Nova Scotia, but I believe it will encourage trade with Ontario, and retain our money in our own country. I believe that every dollar we sent over to the United States for flour, or anything else we have or can produce, is a loss to the Dominion. I am not prepared to admit that the interests of Nova Scotia are going to suffer by the encour-

agement of home manufactures, because I believe that the trade and commerce, and the great manufacturing industries of the Dominion, must gravitate to the sea, and there is no part of Canada that has so commanding a position, or has so many natural resources necessary to the prosperity of a country, as the Province of Nova Scotia.

Hon. Mr. HAVILAND—I should like to know what is the question before this Chamber. When I read the notice of motion, I was under the delusion that the question was, how the amount paid by the Americans as compensation under the Fisheries Award should be disposed of; whether it should be divided amongst the different provinces whose fisheries interests were affected by the treaty, or whether it was to be appropriated by the Government for the general purposes of the Dominion. But, on coming in from the Library, I heard a long discussion, and a great array of figures, upon the National Policy of the Dominion, whatever it is to be. I was not aware that the hon. Minister of Finance had yet divulged to the public what that National Policy is to be, and what braches of industry are likely to be injured, and what are to be benefit ed. One would fancy that the hon. gentleman from Halifax must be behind the scenes; that he must be one of the confidential advisers of the Finance Minister, as he seems to know everything that is to take place on Friday next; and the array of figures he has produced are enough to frighten anybody. To my mind the matter is altogether in a nut shell. It seems to me there can be no difficulty about this fishery question at all. There is only a quota that the Dominion or any other province can appropriate, because my hon. friend (Mr. Kaulbach), has declared that, according to the basis of distribution spoken of by the hon. gentleman from Halifax, three-fourths of the award must go to Nova Scotia, and the greater part of that three-fourths must go to the County of Lunenburg. I do not see for the life of me what the object of the hon. gentleman is, or what the object of his motion is, with regard to this fishery question. I have every faith in the present Government of the Dominion, and I believe that, in the distribution of the money we have received from the Americans, it will be appropriated truly and properly, according to the spirit of the Treaty of Washington; that it will not be appropriated to pay the debts of the Dominion, or foster industries not connected with the fisheries. I believe the fisheries are the proper branch of industry that ought, in some shape or other, to receive the benefit of this money. I have no doubt myself that it will be appropriated in that way, and it will be time enough to be finding fault with the Government, when we know what their policy on this question is to be. I do not believe they would be so rash as to appropriate that money for any other purpose than for the fisheries. It may be a question in what way it should be disposed of; whether it shall be expended by the Federal Government for fishery purposes, or whether they should capitalize it, and hand over the interest of it annually, in certain proportions, to the provinces who own the fishery grounds. In that case, when it comes to a question of valuation, it will be time enough for us to quarrel over local interests. I, as a Prince Edward Islander, believe that we have the finest fisheries in the Dominion.

Hon. Mr. KAULBACH—But you do not farm them properly.

Hon. Mr. HAVILAND—If we do not do so ourselves, the Americans do it for us. The basis of calculation is, the value of the fish taken out of our preserves, or the preserves of Canada, by foreigners, and not what we export ourselves. If the hon. gentleman would only visit Prince Edward Island during the fishing season, he would see the white sails of the American schooners dotting our waters everywhere. In 1871, when the Imperial Government were very anxious to have everything run smoothly with the Americans, we were induced to allow their fishermen to fish upon our shores, on the understanding—the strict understanding guaranteed by the Ministers of the then President—that those who were engaged in our fisheries should receive a refund of the duties that were then paid on the export of mackerel and other fish to the United States. But we never did receive that refund; the Americans, in the most flagrant manner, broke faith with us as to

the terms on which we allowed them to come in there and fish. At that time there was a pledge from the then Colonial Minister, Lord Kimberley, that Prince Edward Island should receive pecuniary compensation for the value of our fisheries that were surrendered under the Treaty of Washington. I merely speak of these matters now, to show that I am not going to sit here silent and allow the hon. gentleman from Halifax and the hon. member from Lunenburg, to fight among themselves as to the distribution of this fishery award in Nova Scotia. It puts me in mind of Æsop's fable of the frog and the ox.

Hon. gentlemen—Explain ! explain ! Which is the frog ? Which is the ox ?

Hon. Mr. HAYTHORNE—Although I agree with a great deal that has fallen from my hon. friend who has just sat down, and with some of the remarks of my hon. friend from Lunenburg, I cannot agree with them all, because I do not believe that this discussion is altogether premature. My hon. friends say that we ought to wait until after the bringing down of the Budget, and the delivery of the financial speech before discussing this matter.

Hon. Mr. HAVILAND—I said before we discussed the National Policy.

Hon. Mr. HAYTHORNE—Then I am mistaken. My hon. friend from Lunenburg however, said this debate was premature, and that we should hear the Budget speech before entering into this discussion. I venture to differ from him, however, because it is quite possible that the very great evils which we dread, may be brought forward, and form part of the Finance Minister's Budget. Should that be the case, it is perfectly clear that it would be exceedingly difficult for the remonstrances of the Maritime members to have any affect after the Budget has been brought down, and has been approved of by the other branch of Parliament. We might go and knock in vain at the door of the Finance Minister ; all we would hear might be a weak voice from within saying "Too late, too late, you cannot enter now." I believe, therefore, that the motion of my hon. friend is not altogether premature. It seems that the terms of the motion would almost preclude us from discussing the question from an incidental point of view, as it bears upon the interests of each province. But my hon. friend from Lunenburg, I see, happened to recollect some few remarks that dropped from me in the debate on the Address. I think I said on that occasion that, in the distribution of the award, the principle should be adopted that what the fisheries have gained the fisheries should keep. I adhere to that still, as I think it is the most national principle that can be adopted in this matter, and if that principle is carried out, the Dominion Government and Parliament may very easily steer clear of the difficulties into which the American Congress and Government have fallen, with reference to the disposal of the money obtained under the Geneva Award. I would like to see just as strong a contrast as can possibly be drawn between the action of our Parliament, our Government, and as a nation, in relation to the disposal of this award, and the action of the United States Government and Congress in relation to the disposal of the Geneva award. To this day there lies some fifteen millions of dollars—a sum partly arising from accumulated interest—in the national treasury, for which the American Government cannot find claimants ; and I would like, for my part, and for the credit of the country, to see this matter arranged in a quiet, amicable way, without any unseemly discussion, and without any particular county or province laying claim to a large portion of the award. It seems to me that this award should be apportioned pretty much upon the principle of an award for damages. There is no doubt it has been paid over to us as value for benefits received, and it cannot be better applied than to compensate those who are injured by the operation of the Washington Treaty. I would not mention any particular province, except by way of illustrating the point I wish to make. Therefore, in speaking of my own province on this occasion, I merely wish to point out how it affects the fishermen of Prince Edward Island, and no doubt the fishermen of other provinces. As I reside within a few miles of important fishing stations, I happen to know from the fishermen them-

selves where the shoe pinches them. In former times, when there was no reciprocity treaty, and no licenses issued to fishermen, we were in the habit of reserving exclusively for our own use, the fisheries inside the three miles limit, and within that boundary there was no competition between foreigners and our own fishermen. But at present it is quite different. That three miles limit is now frequently occupied by American fishermen with their schooners, and, consequently, the native fishermen, in their small boats, carry on their business at a great disadvantage. The reason why they cannot, at all times, take the same advantage as the American fishermen is, that on some of the fishing grounds of the Island, the heavy ocean swell breaks with such violence on the shores, that no small boat can go through it safely ; and, while foreign fishermen are busily engaged taking fish, our men are obliged to sit idle, and watch the strangers reap the harvest that should be our own. The interests of our fishermen would be largely assisted in some localities, by the outlay of some of this money in erecting suitable piers, breakwaters, in forming harbors, and dredging some of the bars, so that our fishermen would be able to go to sea at all times, and follow their occupation alongside of their American rivals. Another question to which I wish to call the attention of the House, is that this privilege has been granted to the Americans for twelve years, and, consequently, if the destructive mode of fishing which they, unfortunately, adopt, is persevered in until the end of the term, the probability is that our fisheries will, to a large extent, be ruined, and will require a large outlay to restore them to the original value. Consequently, I contend that the loss to our fishermen should be made good from some source or other. I do not at all mean to assert that any particular province has a special private interest in those fisheries ; but, of course, the provinces lying immediately in their vicinity, whose inhabitants are suffering the greatest injury from the operation of this treaty, are those who ought to receive the greatest attention in the distribution of the award. I think it would be one of the most unseemly things that could possibly occur, if this Parliament of ours should unfortunately disagree,—or any of the provinces should disagree with each other—as to the disposal of the money, but I, for one, speaking individually, should certainly feel best satisfied, (if the principle which I have contended for, were adopted,—what the fisheries have gained the fisheries should keep)—if the provinces fail to agree about the distribution, that it should become a subject for fair arbitration. My hon. friend on my left (Mr. Haviland) has referred to some transactions which occured at a period previous to the confederation of our province with the Dominion, and to some events which occurred at the time he, himself, took an important part in the political affairs of Prince Edward Island. What he has said I believe is in strict conformity with the facts, and he did not at all exaggerate the importance of what then took place. But by way of illustrating the difficulties under which the fisheries of that province were placed, I will inform the House of what occurred at a date slightly posterior to what my hon. friend has referred. A change had taken place in the political affairs of the Island, and, by a turn of the political wheel, the Government of which my hon. friend was a member, was succeeded by another, of which I was the leader. It became my duty with my colleagues to take action on the question of the fisheries, and it was then apparent, as my hon. friend has stated, that the American Government had no intention of paying those refunds, and on being applied to they positively refused payment. Notwithstanding the representations made by the Imperial Government, those refunds have never been paid to this day. As a consequence, the Government with which I was connected, communicated with the Imperial Government, and the result was the exclusion of the American fishermen from our three miles limit. Cruisers were sent out for that purpose, and the three miles limit was kept clear for our own fishermen. This shows that the mother country is not always forgetful of the interests of her smaller colonies. Having stated in the commencement of these few remarks, that I did not wish to argue this question on this occasion with reference to one province alone, I I think I may allow it to drop for the present.

Hon. Mr. CAMPBELL—It is always an invidious task to even seem to stop discussion on any subject, or I would have interposed, before now. The House will see that there is no question before it whatever. The hon. gentleman has put a notice of motion on the paper, but he has made no motion. He has called attention to the subject, but has submitted no question to the House. He has done what he said he would do, and has had the opportunity of speaking in the sense which he desired, upon this subject, and of doing so in such a way, and at such length as he thought proper. I think he has mistaken the course of procedure which he intended to adopt; the course which he desired to follow was, that just adopted in this House by my hon. friend from Toronto, (Mr. Macpherson), but which is very common in English practice. A member gives notice that it is his intention to draw the attention of the House to a certain subject, and that he will ask a question. Had my hon. friend done so, he would have been in strict conformity with British practice, and in accordance with the course which my hon. friend from Toronto introduced in this chamber. He has called attention to the subject, and there, I apprehend, the subject must drop, and I hope it has dropped, as the House is not asked to pass any opinion upon it. Of course it cannot be expected, on behalf of the Government, that I can follow my hon. friend through this discussion, or express any opinion on the merits of the question; that must be left to another person at another time, and in another place.

The subject was then dropped.

THE MONTREAL HARBOR COMMISSION

INQUIRY.

Hon. Mr. GUEVREMENT—Before asking the questions of which I have given notice, I wish to make a few remarks on the subject of the dismissal of certain employes in the service of the Montreal Harbor Commission, of which mention is made in the report of a Special Committee of the Senate, dated the 27th April, 1877. I was under the impression that after the presentation of that report, the Montreal Harbor Commissioners would have been persuaded to do justice to Pierre Cote, Pierre Charbonneau, and others, by reinstating them in the positions from which they had been dismissed. But nothing has been done in that direction by the Commissioners, and they have approved of the unjust and arbitrary acts of their subordinates. In defence of their conduct, the Harbor Commissioners sent, as their witness, before the Committee of the Senate, Mr. John Kennedy, who was examined, after being sworn, in the same way as the other witnesses. This gentleman gives no reason for the dismissal of Pierre Cote, except that it was done from motives of economy, while it was proved by other witnesses that Pierre Cote did as much work as two men, who had to be employed to take his place. One receives a salary of $2,000 a year, and the other gets a salary of $540, while Cote received only $960 a year, for doing the work which those two men are employed to do now. This was a change of the same character as that which took place in the appointment of Mr. Kennedy himself to replace Mr. Nish, who had received a salary of $2,500, while Mr. Kennedy, who succeeded him, draws $5 000 a year, though less qualified than Mr. Nish, in the opinion of gentlemen who are competent to judge of the qualifications of the two men. This Mr. Kennedy had first stated before the Committee, that no book or record had been kept containing the names of the employees of the Harbor Commission at Sorel, from which the engagements of those who had been dismissed could be learned, but produced an authentic report of the Habor Commission which was published in the *Herald*, and upon being shown the *Herald*, declared that he was ignorant of it, and that one of the Secretaries of the Harbor office had misinformed him. Another statement with respect to the dismissal of Pierre Charbonneau is this. Mr. Kennedy stated:

> The change made was judged to be advantageous, and more work was done by the dredges in this way. Charbonneau was not re-employed this spring (1877) for the same reason, his dredging machine having done an amount of work in 1876 that was not quite satisfactory, less, in fact, than that of any other dredge in the ship canal. The place where Charbonneau worked was not the most difficult one.

On the other hand, the Captain, Charles Armstrong, stated :

Pierre Charbonneau always did his duty well, and I never had any fault to find with him. The place where he worked during a portion of the season was a very difficult one, that is to say that as much work could not be done there in a given time as elsewhere. No accidents happened to him to my knowledge ; I never knew of a diver being employed for Charbonneau. In 1876, I heard it said that it had been necessary to have recourse to a diver for another dredge commanded by Dunbar. The first times, that is to say from 1857 to 1868, I was never obliged to have recourse to a diver. The captain of the dredge, and the engineer, always fished up the buckets when they fell out of the frame.

I hope that the new Harbor Commissioners, who may be appointed by the Government, will render justise to my fellow countrymen who have been so harshly treated, and whose cases I have so often brought before the notice of this House. I beg to enquire :

1st. Whether the Government is about to make changes in the composition of the Montreal Harbor Commission ?

2nd. And if so, when those changes are to be made ?

3rd. Whether the Government has taken into consideration the dismissals reported to have been made by the said Harbor Commissioners of Pierre Cote, Pierre Charbonneau, and others, of which mention is made in the report of a Select Committee of the Senate, dated 27th April, 1877 ?

4th. And, whether the Government intend to recommend those whom it may concern, to restore the above named dismissed persons to their former positions as soon as possible ?

Hon. Mr. CAMPBELL—I wish very much that I could reply to my hon. friend in the language in which he has spoken. It would afford me very great gratification, and be more satisfactory to him if I could do so, although I am very well aware that he is more familar with English than I am with French. The hon. gentleman has several times drawn attention to what he considers the very hard case of Cote and Charbonneau, who had formerly been employed by the Montreal Harbor Trust, and were discharged. My hon. friend takes a very warm, and I have no doubt, a very unselfish, interest in those gentlemen, and thinks they should be restored to the employment of the Harbor Trust. Whether that can be done in the way my hon. friend suggests, and has tried several times to do, is a difficult question. I dare say every member of the Senate understands that the Harbor Trust is not directly under the control of the Government. It is true that the Government has the appointment of several members of the Harbor Trust, but, having appointed those members, the Trust acts on its own responsibility, as to the discharge of the duties the statute imposes upon it, without reference to the Government. Amongst those duties is the engaging and discharging of men in their employ, like Cote and Charbonneau. The Government has no direct control over the matter, and can only exercise an indirect control, by making so important a matter of it as to interfere with the composition of the Harbor Trust, which would be a very serious thing to do, and which I am not aware that, upon a reason of that kind, any Government would be justified in doing. If the Harbor Trust is to be interfered with, it must be on some other and larger ground than the one suggested. I make these remarks that the hon. gentleman may understand that I don't think lightly of this question, but have given it careful consideration. In reply to his questions, I may say to the first, that it is a question which we have still under consideration, and that therefore I am unable to reply to the second question when the changes will be made. In answer to the third question, I may state that I have ascertained from the Marine and Fisheries' Department that no action has been taken. The Commissioners are entrusted with the management of the Harbor Trust, and employ such persons as they consider necessary, and discharge such employees as they think are not required, or whose services can be better performed by others. The action taken by this House, at the instance of my hon. friend, in 1877, was not definite in its character, and did not point to any action being taken by the Government. The report, signed himself as chairman, does not make any recommendation. It says the Committee examined several witnesses, whose evidence, accompanied by certain documents, they submitted to the House. They add, that the Session being nearly over, and the time being insufficient to complete the investigation, they recom-

mend that the evidence be printed for the use of members. There is no want of deference, therefore, on the part of the Government, to any conclusion at which this House arrived. In reply to the fourth question, I may say that the matter has never arrived at such a stage. It seems to me, if my hon. friend had expected the Government to arrive at any satisfactory conclusion from his point of view, instead of allowing the matter to drop, after the report of the Committee in 1877, he would have taken up the question the following year, and established the fact, that these men had been harshly or unjustly dealt with, and if he could have had the vote of this House to make out a case for interference, he might very justly have asked the Government to interfere, and have expected a more satisfactory answer than I can give to his last question, because the House, having adopted a report showing that these men had been dealt with unjustly, it would have become the duty of the late Government, or ourselves, to have interposed in some way or other. Probably it would have been in the shape of a remonstrance. I have answered the questions of my hon. friend, probably not as satisfactory as he would desire, but as thoroughly as the facts enable me to do.

PARLIAMENTARY PRINTING.

SECOND REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. SIMPSON moved that the second report of the Joint Committee on Printing be adopted.

Hon. Mr. ALEXANDER—I believe the hon. gentleman who moves the adoption of this report is Chairman of the Joint Committee of both Houses on Printing. I was a member of that Committee at the time that the hon. gentleman claimed, and very properly claimed, that a reduction of $40,000 per annum had been made in the cost of printing, by diminishing the quantity of matter for distribution. Now, I merely venture to suggest to my hon. friend, whether, in the present state of the finances of the country, when the Government are trying to reduce the expenditure, Parliament should not endeavor to assist them, wherever they possibly can? I would simply mention, with regard to the papers which have been mailed to myself, that I think there are a great many more sent to members than are necessary in the public interest. For instance, with regard to the distribution of the Statutes, a copy is sent to every justice of the peace, and to each member of both Houses of Parliament. Now, why should, in addition to these, a further number be distributed to each member? I find it difficult to get persons in my neighborhood sometimes to accept the many volumes sent to me. Such is the mass of papers which come to me as a member of this House! The Mechanics' Institute and Literary Institutions in my own county, have already so many of these Parliamentary documents, that they say "We have more than we require." Now, cannot a further saving be effected, say $20,000 a year? It would be an object to save that sum.

Hon. Mr. RYAN—I think this report does not show any extravagance in printing. It will be soon enough to criticise the reports of the committee when we find they recommend a very extravagant outlay of the public money, on disseminating information throughout the country. I think we were reduced to a starvation point last session by the report adopted shortly before the prorogation, which gave each member of this House only one copy of the Minutes of Proceedings, and only one copy of each bill which came before this and the other House. I think the House will admit that this was too small a distribution. I quite agree with the hon. Senator who has just spoken, that in previous sessions there were more than enough public documents and reports of the different departments circulated. Four copies were then sent to each member; these are now reduced to two, which seems sufficient. But even with regard to the larger number, I think these books contain a great deal of valuable information, and I believe that gentlemen devoting themselves to the study of them, would not only improve their minds very much, but get a great deal of information, and would be enabled to speak on all the subjects which are dealt with in this House with increased intelligence and discrimination. Perhaps there is quite as much information derived by the public from

the perusal and a proper study of these documents, as there is from listening to the eloquence we are all so fond of putting forward in this House, and I do hope that when the Committee come down with their further reports—and it is with this view I have risen—they will revise the distribution list of last session, not with a view to cutting it down still more, but of extending it in certain directions, as for instance, by giving copies to certain institutions which do a great deal of good to the country by their analysis of the statistics furnished in these documents. I think a judicious distribution, increasing in some points, and decreasing in others, might very well be made by the Committee; and I hope their second or third report will deal with this matter. I see nothing to object to in the report which we are now asked to adopt.

Hon. Mr. SIMPSON—Before the question is put, I would say in reply to the hon. Senator from Woodstock, that I think his memory has failed him somewhat. When we had the two provinces of Ontario and Quebec to print and distribute for, the expense amounted at the time my labors in connection with the printing committee commenced, to something like $176,000. Two years afterwards we got the amount reduced, with more efficiency and better work, to some $75,000. We are now printing and distributing for six or seven provinces, and I can assure my hon. friend that the Printing Committee has shown perhaps as much zeal and energy in trying to economise as any other committee of Parliament, or any branch of the Public Service, and I wish some other committees would shew as much zeal in the same direction. But while we are endeavoring to reduce on one hand, we have been attacked by several members of the House for what they call the "cheese-paring policy," we are following. While we cannot very well meet all the wishes of the hon. Senator from Montreal, (Mr. Ryan), I do think that some institutions of our country should get documents which they are not now receiving; the additional cost would not be very great. As to cutting down the blue books, I agree with the hon. Senator from Woodstock (Mr. Alexander), that we get too many of them. Nevertheless, I have no great difficulty in getting rid of them. These blue books are becoming a source of the greatest trouble to the Committee. I do not know that I should specially mention any of them, but I will merely refer to the report of the Halifax Fishery Commission. The cost of that book this year will be about $5,700, and with all the efforts we have been making to reduce the expenditure, I think the printing service this year will be about $4,000 in excess of the preceding year. I beg to move the adoption of the report.

Motion was agreed to.

PENITENTIARY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (A) to amend "The Penitentiary Act 1875." He explained that the Bill had two clauses. The first was to give the warden of a penitentiary discretionary power to furnish a less sum of money for travelling expenses to a discharged convict than would be necessary to take him to the place where he received his sentence, if, in the opinion of the warden, the convict wished to go to some place nearer to the penitentiary. Under the Act, as it stood, the full amount was paid to each convict, on his discharge, whether he went to the place where he received his sentence, or not. The second clause provided for the appointment of an Accountant of Penitentiaries. This would involve no additional expense, as it was merely proposed to transfer the Accountant, who was at present attached to the Inspector's office, to the Department of Justice, without increase of salary.

Hon. Mr. SCOTT said it seemed to him the main object of the Bill was to create a new and distinct office. The transfer of the clerk from the one office to the other could be accomplished without an Act of Parliament.

Hon. Mr. AIKINS explained that the Bill created no new office, but placed the Accountant more immediately in connection with the head of the department. The Minister of Justice thought this change should be made, and that this Bill was necessary.

Hon. Mr. SCOTT asked if there was an officer, under the Penitentiary Act, called an Accountant, attached to the Inspector's Office.

Hon. Mr. AIKINS replied that there was not, but that there would be no increase of expense through the proposed change.

The bill was read the second time.

PLEURO-PNEUMONIA.

SENATOR CHRISTIE'S SUGGESTION ADOPTED.

Hon. Mr. CAMPBELL—Before the House adjourns, I wish to give some information consequent upon the letter read by the hon. Senator from Erie, (Mr. Christie), with reference to the disease of the cattle shipped on the steamship *Ontario*. My hon. friend drew attention to the fact that Dr. Smith had written to him to say, that Professor Williams, of Edinburgh, was of the opinion that the pneumonia which was found on the cattle shipped by the *Ontario*, was not of a contagious character. I promised to inquire into the matter and I have done so. I drew the attention of the Minister of Agriculture to the subject, and he has been in communication with the officer of the department who made the enquiry as to the origin of the disease in Pennsylvania and New Jersey. That gentleman says, with reference to the opinion expressed by Dr. Smith :—

"While the whole profession fully recognize Mr. Williams' ability and valuable services in the profession, neither he, himself, nor the profession for a moment claim that he is the "first Pathologist of the day." As a matter of fact, Professor Williams was one of the three Principals of the Scotch Veterinary Colleges, viz : Williams, Walley and McCall, who were employed to examine the cattle brought over by the "Ontario." By the enclosed letter from Professor Walley, you will see that, while Professor McCall and himself agreed that it was contagious Pleuro-Pneumonia, "Prof. Williams could not make up his mind about it."

The lungs of several of the animals were sent to London, and Professor Brown, Veterinary Adviser to the Privy Council, London, supported by the best veterinary opinions in London, reported it to be "Contagious Pleuro-Pneumonia."

A gentleman in London writes : "Professor Brown told me that the lungs which had been sent to him from the "Ontario's" cargo, *had been diseased for a long time, and that the disease was of a most infectious character.* He seemed to think that the cattle had been brought somewhere from Pennsylvania, and that the disease was prevalent in Virginia and Maryland."

Hon. Mr. CHRISTIE—Who writes the first communication?

Hon. Mr. CAMPBELL—Mr. McEachren, of Montreal. Professor Brown, of London, who is a very high authority, not only disagrees with the remark that the disease is not contagious, but says it is of a most contagious character. That is not merely the opinion of Prof. Brown, but is said to be also the opinion of the best veterinary surgeons of London, gentlemen whose standing is as high as Prof. Williams'. I wish my hon. friend's belief that the disease is not infectious was correct.

Hon. Mr. CHRISTIE—After reading the letter of Prof. Smith here the other day, I wrote to him to send me the original letter of Prof. Williams. He has forwarded it, and it is as follows :—

THE NEW VETERINARY COLLEGE, GAYFIELD.

EDINBURGH, Feb. 22, 1879.

MY DEAR SMITH,—

I see by the papers that the cattle which arrived at Liverpool per "Ontario," and which were condemned for pleuro-pneumonia contagiosa, belonged to a Toronto firm. I had an opportunity of seeing over 100 of them slaughtered, and saw almost all the diseased ones. and differ entirely with the Privy Council authorities, and maintain that the cattle were suffering from : 1st, sporadic pleuro-pneumonia, 4 or 5 ; 2nd, pulmonary congestion, several ; and 3rd, the purest pleurisy you ever saw in your life, without any lung consolidation whatever. In two of them, (that is, those with pneumonia), the consolidation extended into the larger lobes, but in the rest the disease was confined to the small anterior lobes. Now, in this country, we find the contagiosa to be, in 95 cases out of 100, in the larger lobes, and close to the diaphragm. This fact in itself ought to have made the Inspectors hesitate, but they had made up their minds, and nothing could have moved them.

The symptoms during life were those of acute disease, with the painful cough of pleurisy, and without the high elevation of temperature of pleuro.

Taking into consideration the rough usage of the cattle, it is a wonder there were not more diseased.

Yours most sincerely,

W. WILLIAMS.

This is the original letter from Professor Williams, who is Principal of the

New Vetrinary College of Edinburgh, and a highly distinguished member of the profession. Now, I fancy it will be admitted by pathologists, that it would be very difficult to give a proper diagnosis of the disease from examination of a portion of the lungs of a dead animal which had been sent hundreds of miles after it was taken from the carcass.

Hon. Mr. CAMPBELL—Very likely.

Hon. Mr. CHRISTIE—Professor Williams saw quite a hundred of the animals slaughtered, and, amongst them, the diseased ones, and he says the disease was not contagious.

Hon. Mr. CAMPBELL—My hon. friend drew attention to the subject, in the hope that it would cause communication to be made to England that would lead to some satisfactory result.

Hon. Mr. CHRISTIE—Yes.

Hon. Mr. CAMPBELL—Prof. Williams seems to have given his opinion, at the time the cattle were slaughtered, and that opinion was over-ruled by two other professors who were with him, and who had the same opportunity of seeing the lungs of the diseased animals that he had; so that they stand in a different position from Dr. Brown, and the other authorities in London. There are the opinions of the two Veterinary Surgeons in Liverpool, and of the Veterinary Surgeons in London, who were consulted by the Privy Council against Prof. Williams, and I do not think it is probable that any representation we could make would alter the decision which has been arrived at in England.

Hon. Mr. CHRISTIE—I do not concur in this opinion. I should like to see the evidence *in extenso*, so that we could compare the reasoning of the three men employed. Professor Williams has given us distinctly his reasons for arriving at the conclusion that the disease was not contagious. It would not be a matter of much cost for the Government to ask the proper authorities at home to transmit to the Department of Agriculture a copy of the statement of each of those medical men.

Hon. Mr. CAMPBELL—Certainly; I quite agree with my hon. friend, and I will undertake that it shall be done.

The House adjourned at 5.25 p. m.

THE SENATE.

Tuesday, March 11th, 1879.

The SPEAKER took the chair at 3 o'clock.

Prayers and routine proceedings.

NEW SENATOR.

The Honorable the SPEAKER informed the House that there was a member without ready to be introduced, when the Honorable Harcourt Burland Bull was introduced between Hon. Messrs. Campbell and Hamilton (Kingston).

Hon. Mr. Bull presented Her Majesty's writ summoning him to the Senate, and the same was then read by the Clerk.

Hon. Mr. Bull came to the table, took and subscribed the oath prescribed by law, and took his seat accordingly.

RECEIVING PETITIONS FOR PRIVATE BILLS.

TIME FURTHER EXTENDED.

Hon. Mr. ALLAN moved :—

"That the time limited for receiving petitions for private bills, and for presenting private bills to the Senate, be extended for ten days, as recommended in the fifth report of the Committee on Standing Orders and Private Bills."

The motion was agreed to.

THE PARLIAMENTARY PRINTING.

THIRD REPORT OF THE PRINTING COMMITTEE ADOPTED.

Hon. Mr. SIMPSON presented the third report of the Joint Committee on the Printing of Parliament, and explained that as the several contracts for the printing, binding, and printing paper would expire with the work of the present session, it was necessary that provision should be made for the future performance

of these services. The Committee recommended that tenders should be asked, for the printing, binding, and the supply of the printing paper required for the Parliament, for the period of five years, commencing on the 1st January, 1880, with the right on the part of Parliament to extend the same for ten years. The Committee had the power to extend the present contract for five years, but it was thought better to call for tenders, in order that the work might be performed as cheaply and efficiently as possible. As the Committee desired to meet without delay, in order to prepare advertisements and specifications, he moved the adoption of the report.

The motion was agreed to.

BILL INTRODUCED.

Bill (D,) "To amend the Act incorporating the Ottawa Loan and Investment Company." (Hon. Mr. Aikins).

The Bill was read the first time.

THE PENITENTIARY ACT AMENDMENT BILL

IN COMMITTEE.

The House went into Committee of the Whole on Bill (A,) "To amend the Penitentiary Act, 1875."

Hon. Mr. DICKSON, from the Committee, reported that they had gone through the said Bill, and had directed him to report the same to the House without any amendment.

The third reading was ordered for Thursday next.

The House adjourned at 3.35 p. m.

THE SENATE.

Wednesday, March 12th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE CAMPBELL DIVORCE CASE.

PETITION WITHDRAWN.

On the reading of the Petitions,

The SPEAKER announced to the House that there was an irregularity in connection with the petition of Maria Eliza Campbell, praying for a separation from her husband.

Hon. Mr. CAMPBELL said the fee had not been paid.

Hon. Mr. DICKEY said that it was the duty of the Committee on Standing Orders and Private Bills to decide upon a question of irregularity. They should deal with it, and make a recommendation to the House.

Hon. Mr. CAMPBELL thought that that was not the proper course to be pursued in a case of this kind. The standing orders of the House required that the fee of $200 should be deposited at the same time that the petition was presented, so that before the petition could go to the Committee on Standing Orders the money would have to be provided.

Hon. Mr. REESOR did not dispute that this was the usual course.

Hon. Mr. CAMPBELL said that this petition should not have been presented at all, if the suppliant wished to proceed *in forma pauperis*. He should obtain that indulgence from the House. He should present a petition making out a case, for being allowed to present a petition for divorce, without complying with the rules of the House. That petition should be sent to the Committee on Standing Orders, and they should report to the House whether the rule should be suspended in her case. He hoped this course would be pursued.

Hon. Mr. MILLER said that there was no doubt that this was the correct way; but where an irregularity took place, such as this, he did not see how the House could be informed of it, nor how the Speaker could take notice of it, until the petition was sent to the Committee on Standing Orders, where the irregularity would be detected.

Hon. Mr. CAMPBELL said the petition could not go to the Committee on Standing Orders, because the rule had not been complied with. The Clerk being aware that the money had not been deposited, it was his duty to mention the irregularity to the Speaker, who would inform the House of it. He did not see how the petition could be got before the Committee on Standing Orders at all. It was not desirable that a petition of this kind should be allowed in such a hap-hazard sort of way to get before the House. It would be far better to lay down a rule, and those who were anxious for the suspension of that rule, should apply for the indulgence in a proper way.

Hon. Mr. DICKEY thought that the course suggested by the hon. Senator from Arichat was the correct one, and the only way that the petition could be dealt with. Until the petition was read, no honorable member was in a position to say what it contained. The rule stated that no private bill could be considered in this House, until it had gone to the Private Bills Committee, and been there dealt with. The Committee would make their recommendation to the House, and the House would act upon it. If the suggestion of the leader of the Government were acted upon, the petitioner could never get a hearing at all, because she would be required to pay $200 before her petition could be presented.

Hon. Mr. CAMPBELL said that was not the ground he had taken. His contention was that she should be allowed to present a petition praying for permission to present a petition for divorce, without the payment of the usual fee. That petition should be disposed of first.

Hon. Mr. DICKEY thought that the petitioner would be treated with injustice if she were debarred from the right of being heard before the Standing Committee. He called attention to the fact that the $200 was already in the hands of the Clerk, because he saw by the Journals of last year that the motion to return the $200 which had been paid in had been defeated.

Hon. Mr. CAMPBELL said that was the man's money.

Hon. Mr. ALLAN did not see how, in the ordinary mode of bringing in such bills, the petition could go before the Standing Orders Committee, because the 83rd Rule provided distinctly for the payment of $200 at the time of presenting the petition. In this case, the petition had been presented on Monday, and the money should have been paid at that time. As that had not been done, the matter could go no further.

Hon. Mr. MILLER said that he had no sympathy with this application, and the House would remember that his feeling had been against it last year. The more he looked at this question, the more convinced he was that the position he had assumed was the correct one. The rule required the payment of $200 at the time of presenting the petition; if this was not done, there was an irregularity in the proceeding. The petition should go to the Committee on Standing Orders, and the petitioner would take the risk of satisfying that Committee that she was justified in taking the irregular course she pursued. If she could not satisfy the Committee, their report would be unfavorable to her, and her application might be thrown out altogether.

Hon. Mr. TRUDEL said that, as far as he could judge, this petition did not come under the provisions of Rule 83. It was a demand for a separation from bed and board, and not strictly a divorce bill.

Hon. Mr. REESOR said he had given notice of his motion last Monday, and had not attempted to take any advantage of the House. At that time the attention of the House was called to the fact that the petition could not be received without a suspension of the rule, and for that reason he had given notice of the motion

which stood on the paper. The object of that motion was simply to carry out what was contemplated by the petition itself, namely, to allow the petitioner in this case to proceed *in forma pauperis*. He held in his hand an affidavit which he would read to the House.

Hon. Mr. DICKEY suggested that it should be read before the Committee on Private Bills.

Hon. Mr. REESOR said he would be quite satisfied if the petitior were referred to the Committee.

Hon. Mr. CAMPBELL admitted that his hon. friends opposite (Mr. Dickey and Mr. Miller), were quite as well able to form an opinion on this point as he was; yet he strongly adhered to the conclusion which he had already presented. The safe course was not to depart from the rule of the House. The petitioner could lay a petition on the table of the House saying that she was poor, and that she desired to apply for a bill of divorce, and to be permitted to proceed *in forma pauperis*. That petition could be referred to the Committee on Standing Orders. If they considered the circumstances were such as to justify the House in departing from the rule, they would recommend that such a course be pursued, and then the petition for divorce could be presented.

Hon. Mr. CHRISTIE thought the position taken by his hon. friend from Montreal, (Mr. Trudel), was the correct one. This was not a petition which came under the 83rd rule of the House. It was an application for separation with alimony. The new point referred to by the hon. leader of the House was the closing prayer of the petition; that she be allowed to proceed *in forma pauperis*, so that a preliminary petition, under the circumstances, was necessary.

Hon. Mr. CAMPBELL said that the petition, in the opinion of many hon. gentlemen, asked for a divorce.

Hon. Mr. DICKEY thought that there was no necessity to discuss the question, whether it was a petition for divorce or for separation. In case of a bill of divorce, the strict rule required that the money should be paid on the presentation of the petition. The objection had not been taken at the time it should have been raised.

Hon. Mr. BELLEROSE said the practice of late years had been, that the Speaker called the attention of the House to any irregularity which he might have discovered detween the day of presenting the petition, and the day for receiving it. The reason of that, was that there was no time to examine the petition on the day it was presented. In this case, the Speaker having discovered an irregularity, viz., that the fee of $200 had not been paid, announced the fact, to the House, so they might decide whether the petition should be accepted. As to the other point, whether this was a bill of divorce or not, he thought that a decision had been arrived at last session, that such a separation as this bill asked for, was a divorce; and he thought that the rule ought to be followed to the letter. He cited May in support of his views.

Hon. Dr. CARRALL desired to say that he differed from the hon. Senator from Cumberland, when he said that the House was not possessed of any information as to this petition. Any question that appeared on the order paper was before the House for legitimate discussion. The opinion of eminent counsel was, that there was a distinction between a divorce and a separation. That distinction was understood in the theological sense, at any rate. In one case it conferred the liberty of contracting another matrimonial alliance, while a separation simply meant a dissolution of the marriage bonds without that liberty. When this case was under discussion on a former occasion, he had advocated that the divorce be not granted, because he thought, at the time, if legislation had been obtained in the direction of divorce, it would have left a stain upon the lady and her children. He had since learned that the husband of the petitioner had been guilty of intensified cruelty to her, and had left her without food or the means of living, although, when she contracted the alliance with him, he was supposed to be able to maintain her comfortably. He would

support the proposition to refer the petition to the Committee.

Hon Mr. BUREAU thought that the leader of the House was perfectly right in his interpretation of the rule. There were two kinds of divorce, as had just been explained. A separation could be obtained in the Province of Quebec, under the local laws, but it appeared that in Ontario, and other provinces, no legislation could be had for this purpose. The proper way to settle this question would be to withdraw the petition with the unanimous consent of the House, and then the hon. Senator, (Mr. Reesor) could comply with the rule. It it were admitted, that the petition was not for a divorce, there could be no doubt as to its regularity, because the fee could be paid after the second reading of the bill; but it would relieve the House from all doubts and difficulties, if the hon. gentleman would proceed in the manner indicated by the leader of the Government in this House.

Hon. Mr. PENNY said that if it should come to a vote, he would support the leader of the Government on this occasion, because he thought that, on the whole, the latter was right. There was another question more important than the one which had been raised. Formerly, no fee had been demanded for divorce bills, and when the question came up as to the advisability of charging a fee, he had differed from many other gentlemen in thinking that no charge ought to be made, because this House, in dealing with divorce bills, was a court, and people should be allowed to enter it without being required to pay a high fee. If they were going to depart from the rule which required a deposit, there would never be an end to such applications, because there were many persons who wished for divorce, to whom $200 was a large sum—one which, perhaps, they would be unable to pay. Either the House should treat this matter as a court would, and not demand the fee under any circumstances, or say that they would only entertain petitions from those who were able to pay the fee demanded. The rule should either be rigidly adhered to or abandoned.

Hon. Mr. KAULBACH said that much of this discussion was premature, because the House was not supposed to know the nature of this petition. He was inclined to agree with the leader of the House as to the course which should be pursued in this case.

Hon. Mr. MACPHERSON said that very much depended on whether this petition was for a divorce or not. If it was for divorce, he thought that the course suggested by the leader of the House was the proper one to pursue.

Hon. Mr. REESOR said that he had consulted the Law Clerk as to the proper mode of proceeding, before presenting the petition. That gentleman had referred him to a similar case in the House of Lords, in which the petition was in almost the same terms as the one now presented.

Hon. Mr. CAMPBELL said that in that case the line of action was precisely the same as he had suggested should be taken in this instance. A petition was presented praying that the petitioner might be allowed to present a petition to proceed *in forma pauperis*. In the case now before the House, the petition asked for a divorce.

Hon. Mr. REESOR said that in taking this course, he had not done so ignorantly, or without consulting good authority. Nor had he failed to call the attention of the House to the character of the petition at the time it was presented. In fact the object of the petition was endorsed upon the back of it, so that the House had not been deceived. If the course suggested by the hon. leader of the House were pursued, the petitioner would have to pray for precisely the same thing as in the p tition that had already been presented— to be allowed to proceed *in forma pauperis*.

Hon. Mr. HAVILAND said that he had held a different view of this case before the hon Senator (Mr. Reesor) cited this precedent. This case had completely convinced him (Mr. Haviland) that there ought to be two petitions, as suggested by the hon. leader of the House.

Hon. Mr. MILLER perfectly agreed in the opinion that no member of the House should proceed with a petition except in a

regular manner. He did not dispute for one moment that the course suggested by the hon. leader of the House was the proper one to be pursued. His (Mr. Miller's) argument was that the time to raise objections to a petition was not on its presentation, because the House had no means of being informed of any irregularity. He had been under a slight misapprehension. He had supposed that the discussion had arisen on the presentation of the petition. He was informed that it had been presented some days ago, and, therefore, the Speaker had had an opportunity of being informed as to its nature. The safer way would be to allow the petition to go to the Standing Orders Committee to be reported upon. He had no intention of opposing the course suggested by the leader of the Government, and his own opinion was that the hon. gentleman who had this petition in charge would be taking a perilous course in sending it to the Standing Orders Committee in its present shape. He would be consulting the interests of the petitioner by withdrawing it.

Hon. Mr. REESOR asked leave to withdraw the petition, which was accordingly done with the consent of the House.

PENITENTIARY ACT AMENDMENT BILL

THIRD READING.

Hon. Mr. AIKINS moved the third reading of Bill (A) "An Act to amend the Penitentiary Act of 1875."

The Bill was read the third time, and passed.

POLICE LAW AMENDMENT BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (C), "An Act to amend an Act respecting the Police of Canada."

He said it had been found in the former bill that the Government were not able to use the Police outside of the provinces of Canada. This Bill was to amend the original act in that particular, so as to allow the Police to be used in the Territories of Keewatin and the North West.

The Bill was read the second time.

The House adjourned at 4.25 p.m.

THE SENATE.

Thursday, March 13th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

CANADIAN BUILT SHIPS IN FRANCE.

MOTION FOR A RETURN.

Hon. Mr. BUREAU, moved :—

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to lay before this House, copies of all correspondence since the 28th February, 1878, between the Government of Canada, and any party in Canada, or elsewhere, and also between the Government of Canada and the Imperial Government, about the admission of Canadian built ships into French ports at the same rate and on the same conditions as ships from Great Britain and Ireland are admitted in said ports, or such other conditions as may be herein mentioned.

He hoped that the papers for which he asked would be brought down as soon as possible, as he proposed to bring the matter before the House next Tuesday. The correspondence could not be very voluminous, and there need be no delay in submitting it.

Hon. Mr. CAMPBELL said that so far as he was aware, there had been no correspondence between the Government of the Dominion and any party in Canada which could be brought down. The correspondence had taken place between the Government and Sir Alexander Galt, and he did not think that it could be brought down with advantage to the public service. If the hon. Senator would allow the motion to stand for a day, he would make further enquiries on the subject.

The motion was allowed to stand.

DISPOSAL OF THE FISHERIES AWARD.

MOTION FOR A RETURN.

Hon. Mr. HAYTHORNE, moved :—

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all correspondence, Minutes of Council; or other documents, which have passed between the Local Government of Prince Edward Island and the Government of the Dominion, having reference to award of the Fishery Commission, or to the disposal thereof.

He said that he could, perhaps, better explain the nature of the correspondence to which this motion referred, by reading the following paragraph from the speech of the Lieutenant Governor of Prince Edward Island, on the opening of the Session a few days ago :—

The Government of the United States having paid the Imperial Government the amount awarded under the fishery articles of the Treaty of Washington, which has since been handed over to the respective Governments of the Dominion and Newfoundland, my Government, believing in the right of this Province to such a proportion of the award as the value of the fisheries bears to that of other Maritime Provinces, have taken an early opportunity of pressing this claim upon the General Government. Papers upon this subject will be laid before you.

This motion was for the papers referred to by the Lieutenant-Governor. There could be no objection to bringing them down.

Hon. Mr. CAMPBELL said that he had asked particularly about these papers, and was assured by the Minister of Marine and Fisheries that there had been no correspondence from the Government of Prince Edward Island on the subject. It seemed very curious, but that was the only information he could get. Perhaps the hon. Senator would allow the motion to stand, and he would make further enquiry for the correspondence.

Hon. Mr. SCOTT suggested that such documents would necessarily go to the Secretary of State, and the correspondence might be in that Department.

The motion was allowed to stand.

Hon. Mr. Haythorne.

SECOND CENSUS BILL.

THE SECOND READING POSTPONED.

The order of the day for the second reading of the Second Census Bill having been called,

Hon. Mr. CAMPBELL said that he had not had time to study it closely, and he therefore asked that the order be discharged, and the second reading fixed for Monday.

Hon. Mr. DICKEY said that he had not examined the Bill very carefully, but that his attention had been called to some of its provisions, which were peculiar and different from former legislation. He then proceeded to point out certain clauses of the Bill, which he thought required careful consideration.

Hon. Mr. RYAN hoped that whatever might be the form of the Bill, it would enable the Government to procure full and complete statistics. He thought that the country was suffering for want of vital agricultural and commercial statistics. In the latter, particularly, Canada was far behind other countries. Frequently the returns made in England, received from the different colonies, showed that this country was three, four, and sometimes five years behind in its statistics. He hoped that something would be done, even if it were necessary to go so far as to establish a department of commerce, to look after such matters and furnish statistics. He hoped that the House would give every facility for procuring these statistics.

Hon. Dr. CARRALL thought that statistics, particularly of a financial character, should be collected from the different Provinces. He ventured to say that if returns could be procured, they would show that British Columbia, in her contributions to the revenue from Customs, occupied no mean place in the group of colonies which composed the Dominion.

The second reading of the Bill was postponed until Monday next.

POLICE LAW AMENDMENT BILL.

IN COMMITTEE.

Pursuant to the order of the day, the House went into Committee of the Whole

on Bill (C), to amend an Act "respecting Police of Canada."

Hon. Mr. MONTGOMERY, from the said Committee, reported the Bill, without any amendment.

The third reading was fixed for to-morrow.

The House adjourned at 3.30 p.m.

THE SENATE.

Friday, March 14th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

DISPOSAL OF THE FISHERIES AWARD.

MOTION FOR A RETURN.

Hon. Mr. HAYTHORNE moved,

That an humble Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all correspondence, Minutes of Council, or other documents, which have passed between the Local Government of Prince Edward Island and the Government of the Dominion, having reference to the award of the Fishery Commission or to the disposal thereof.

Hon. Mr. CAMPBELL—I stated yesterday to my hon. friend that there was no such correspondence, so far as I then knew. That was the answer given in another place by the Minister of Marine and Fisheries, and, in truth, no correspondence of any kind had reached his office. But, on close inquiry, I find that some despatches on the subject reached here on the 5th of this month, and were in the office of the Secretary of State. They had not reached the Minister of Marine and Fisheries, so that he was quite accurate in stating at the time that no such correspondence had reached him. I have no objection to the address; the papers will be brought down.

The motion was agreed to.

Hon. Mr. Montgomery.

BILL INTRODUCED.

Bill (E), "An Act respecting Building Societies carrying on business in the Province of Ontario." (Hon. Mr. Allan.)

The Bill was read the first time.

PLEURO-PNEUMONIA.

INQUIRY.

Hon. Mr. CHRISTIE—Before the orders of the day are called, I wish to ask the Secretary of State if he can say when the papers called for by the address which I moved on the 25th of February last, can be brought down. The public are looking very anxiously for these papers.

Hon. Mr. AIKINS—I cannot name the day when they will be brought down. I spoke to the Minister of Agriculture on the subject, and he said that they were being prepared. The return will be submitted as soon as possible.

POLICE LAW AMENDMENT BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (C,) "An Act to amend an Act respecting Police of Canada."

The Bill was read a third time and passed.

THE PARLIAMENTARY PRINTING.

FOURTH AND FIFTH REPORTS OF THE PRINTING COMMITTEE ADOPTED.

Hon. Mr. SIMPSON moved the adoption of the fourth report of the Joint Committee on Printing. He said that he had been asked whether it was not possible to reduce the cost of this service. He did not know how it could be done unless they printed less matter. He thought there were very few leaks (to use a homely phrase) in the service. To show how well the present system works, he might mention that the loss on paper last year was less than one per cent. There were two items in the account of last year which it would be unnecessary to repeat this year—large expenditures for litho-

graphing maps and for extra copies of the report of the Geological Survey. The cost of the printing service, so far as he could see, could not be much reduced. He had been requested by the Committee to say, that if the House would give instructions to reduce the number of printed documents, they would do so. They could not control the size of the blue books, though Parliament might diminish the number to be issued. Some of these works were very expensive. Take, for instance, the report of the Fisheries Commission. It would cost nearly $5,600. Again, take the Public Accounts. Every page of rule and figure work cost just double as much as solid matter. That could not be avoided. Every member of the Committee was most desirous to have the service economically and efficiently carried on. He would take this opportunity to refer to the commencement of this Committee's labors. Something over twenty years ago, he had evidence that there was a great deal of waste, and nothing in the shape of system, in connection with the printing. He went to work, backed up by a member of the Legislative Council, who was now a member of the Senate, and spent some two or three months trying to remedy the evil. The result was, that the printing of Parliament, for the two provinces of Old Canada, which had cost $170,000 per annum, was reduced very greatly, and the service for the Dominion was now performed in a more efficient and satisfactory manner for $75,000 a year.

Hon. Mr. BULL asked if the hon. Senator was not aware that after the type was set, the cost of printing extra copies of any document was very trifling? He thought that the Committee had done remarkably well; at the same time, the number of printed copies ought not to be curtailed too much.

The report was adopted.

Hon. Mr. SIMPSON moved the adoption of the fifth report of the Joint Committee on Printing.

The motion was agreed to.

OTTAWA LOAN AND INVESTMENT COMPANY'S BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of the Bill (D), "An Act to amend the Act incorporating the Ottawa Loan and Investment Company."

The Bill was read the second time, and referred to the Committee on Banking and Commerce.

The House adjourned at 3.35 p.m.

THE SENATE.

Monday, March 17th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE CAMPBELL DIVORCE CASE.

Hon. Mr. CHRISTIE moved that the petition of Eliza Maria Campbell, praying for permission to present a petition for a divorce from her husband, and to be allowed to prosecute her suit *in forma pauperis*, be referred to the Committee on Standing Orders and Private Bills.

The motion was agreed to.

BILL INTRODUCED.

Bill (E), "An Act further to amend the Act incorporating the London and Canadian Loan and Agency Company, limited." (Hon. Mr. Benson.)

The Bill was read the first time.

NORTH-WEST MOUNTED POLICE BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (13) "An Act to amend and consolidate as amended the several enactments respecting the North-west Mounted Police Force." He said there was nothing new in the principle of this Bill. Certain changes in the details of the existing act had been found necessary, but it was not proposed in this bill to make any important alteration. The Mounted Police Force had been found very useful in the north-west, and in fact was the only force that we had available

in case of Indian difficulties, which might arise at any time, but which every one would desire might never arise. The force had been found particularly useful in the large territory of the North-west, where it could be sent from one portion of the country to another over long distances, and under circumstances where it would be impossible to send an unmounted force. He would refer to the details of the Bill in committee.

Hon. Mr. SCOTT said that the cursory examination he had given the measure fully sustained the explanations which had been made by the hon. leader of the Government. He noticed one improvement on the present law; that was the extension of the period of engagement from three to five years. He thought that that change would be attended with great advantage, because the expense of sending men up to the North-west were very considerable, and the cost of bringing them back at the expiration of their three years term of service were also very large. There were some minor points in the Bill to which he would like to draw attention, but he would wait until it was in committee.

The bill was read the second time.

CENSUS AND STATISTICS BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (B), "An Act respecting Census and Statistics." He said: I had the advantage of hearing some of the objections which have been raised against this Bill, and of having my attention drawn to some parts of it a day or two ago, when I asked that the second reading should be postponed. I have since been able to go over it with the Deputy Minister of the Department of Agriculture, and I shall be able, I think, to give a satisfactory answer in Committee to the objections which have been raised. All of that portion of the Bill which relates to the census of the people is, I think, substantially the same as in the Act of 1870. Some clauses have been transposed, and in some cases two or three clauses of the old Act have been condensed into one in this. New sections are introduced providing for the collection and publication of vital, agricultural, commercial, criminal and other statistics. Under the Act of 39 Victoria, as it now stands, these statistics come from two or three sources—magistrates, clerks of the peace, and judges, who are called upon to make returns. When these returns come to be compared, in some cases the names are found to be identical, and in others nearly so, and it is difficult for the officials of the Department, in compiling them, to say whether they refer to the same cases or not. It is to obviate confusion of this kind that provision is made in this Bill for the repeal of the existing measure, and the substitution of better machinery for the collection of statistics—if the Government should deem such a change advisable or necessary. It has been found that the question of statistics can only be dealt with by degrees, as we gather experience from year to year, and, therefore, it is considered expedient that the Governor in Council should be vested with power to make such regulations as may be necessary for the proper working of this measure. It may be said that this is, to some extent, taking the power out of the hands of Parliament, and giving another body power to do what they think best. On the other hand, hon. gentlemen are aware that nothing can be done unless Parliament votes the money to carry on the work. There may be some objection to this kind of legislation, but I think that the balance of convenience is in favor of it in such matters as this Bill deals with. My honorable friend from the division of Victoria (Mr. Ryan) spoke the other day of the necessity of procuring commercial statistics and publishing them promptly. Attention has been several times drawn in England to the utter want of correct statistics and returns from Canada, and I think that the general proposition to remedy this evil will not be objected to by any honorable member of this House. The mode that we adopt, rather taking power from Parliament and lodging it in the Governor in Council, may be open to objection; though, as I have already said, the balance of convenience is in that direction. I can readily understand, from the statement made to me by Dr. Tache, the Deputy Minister of Agriculture and Statistics, that it is very

difficult to say before-hand in precise words what avenue is the best one to be adopted to obtain information, and that it is better, to allow the Governor General in Council to make those rules, leaving Parliament the check it possesses of refusing to vote the money if it objects to them.

Hon. Mr. DICKEY—I have no desire to oppose the second reading of this Bill. It appears to me that the principle of it is perfectly correct. The first class, so to speak, relates entirely to the census, and, is to some extent, a consolidation of the existing Acts. Therefore, there can be no objection to that, because the only bill on the Statute Book relates entirely to the census of 1871; and it is absolutely necessary to re-enact it and make it applicable to the future. In calling attention to some of the objectionable features of this Bill, the other day, on the motion for second reading, I took the proper course — one which has been found to be exceedingly convenient to the House—and it was entirely from that point of view that I made the comments which I did on that occasion. With regard to the question of statistics, there is at present no law upon the Statute Book that enables the Government to collect them, with one exception, that of criminal statistics. The Act 39 Vic. relates entirely to criminal statistics, and all its provisions were exclusively for that purpose. The machinery was very simple. Reference was made to wardens of penitentiaries, clerks of the criminal courts, and justices of the peace who tried inferior criminal cases, a small fee being paid to them; in that way the information relating to crimes was inexpensively collected. It is proposed now for the first time in the twelve years since confederation, to enlarge this legislation, and to apply it to commercial, vital, and agricultural statistics. My hon. friend from Montreal expressed the other day a strong opinion in which the House might coincide, as to the desirability of collecting those statistics but the objection is not to the desirability of having such information, but to the expense attending it in the present state of the finances of the country. The question is, whether we should establish such very expensive and elaborate machinery for collecting the additional statistics at the present juncture. I should be very glad indeed if the existing machinery could do the work, because it would remove the only objection which I entertain. The first three clauses of the Act of 39 Vic., relate entirely to the mode of collecting these statistics in the cheap and simple manner already explained. and it is a very curious thing—a point to which I would like to call the attention of my honorable friend the leader of this House—that these clauses are struck out, that they are not re-enacted in this bill.

Hon. Mr. SCOTT—The other act continues to exist.

Hon. Mr. CAMPBELL—We propose to take power to repeal the existing law, but we also give power to the Governor in Council to provide the necessary machinery for collecting such statistics.

Hon. Mr. DICKEY—Still this bill repeals the existing law.

Hon. Mr. CAMPBELL—No. Provision is made to give the Governor in Council power to repeal it by proclamation.

Hon. Mr. DICKEY—There is no provision in this act which will call into existence the machinery for the collection of criminal statistics.

Hon. Mr. MILLER—This bill empowers the Government to make rules and regulations for that purpose.

Hon. Mr. CAMPBELL—My honorable friend will find somewhere in the Bill that provision is made which enables the Governor in Council to call upon any officer, paying or not paying him, as they think fit, to give any information of this kind.

Hon. Mr. DICKEY—I merely call attention to this point, as one of very considerable importance in connection with the mode that is to be taken hereafter for collecting these statistics, and it is quite evident that this Bill gives power to the Government to establish very extensive and expensive machinery, and to appoint officers all over the country, and fix their salaries, which the existing law does not give. Now, it is a question whether, in

the present condition of the finances of the Dominion, that should be done, and it appears to me that having got along for the last twelve years without it, that it is a question whether we should, at this crisis, add to the deficit caused by already heavy charges upon the revenue of the country. The objection which I raised the other day to the 18th clause of this Bill, has not been met by my hon. friend. I am aware that it is copied from the Act of 1871, which, if I remember right, was passed in the very last days of the session of that year. The 18th clause is as follows :

"Whenever the Minister of Agriculture deems it convenient, he may, by special letter of instruction, direct any Officer, Census Commissioner or other person employed in execution of this Act, to make enquiry under oath, as to any matter or matters connected with the taking of the census, or the ascertaining or correction of any supposed defect or inaccuracy therein ; and such Officer, Census Commissioner, or other person shall then have the same power as is vested in any court of law in civil cases, of summoning any party of witnesses, of enforcing their attendance, and of requiring and compelling them to give evidence on oath, whether orally or in writing, and to produce such documents and things as he deems requisite to the full investigation of such matter or matters."

I think the House will agree with me that this clause confers very inquisitorial power upon these officers. I have not been able to find in any assessment law such a provision as that. The census can only be taken once in ten years; but this Bill proposes to enable distinct commissioners to establish little courts, and empowers them to summon witnesses and call parties before them ; and not merely that, but to compel them to produce all the title deeds of their properties. This is not only an unusual power, but it is also an unnecessary one, because the Act provides in another place, a penalty for any failure to furnish correct information.

Hon. Mr. CAMPBELL—The Bill does not provide for the collection of any statistics about property. The provision to which the hon. gentleman refers, relates to personal property only. It is not intended to get up a Doomsday Book.

Hon. Mr. DICKEY—Yes, the bill expressly says "houses" and "occupied lands." In the assessment law, where it is more necessary than it is in this act, to strictly investigate all the property a person has, all that is provided is, that the assessor shall make diligent inquiry and satisfy himself as to the value of such property, and the individual assessed has the right to appeal against it. In the assessment of joint stock companies, if an objection is raised to the valuation, the assessor can call upon the manager of the company for his affidavit as to the value of the company's property, and is bound by it, without this Star Chamber investigation. That is the utmost extent to which the assessment laws regulating the annual taxation have gone ; but here you constitute a most objectionable court of inquisition into people's private affairs. I think it is a provision which is entirely unnecessary, and certainly if it be unnecessary in the annual assessment of property, it is in a ten-fold degree less necessary in the census, which takes place only once in ten years. I think it is a provision which ought te be scanned carefully before the House is called upon to accept it. I have no objection to the general principles of the Bill, and the details can well be discussed in committee.

Hon. Mr. MILLER—I did not intend to trouble the House with any remarks on the second reading of this Bill, though, perhaps, it is of some service, as my hon. friend has remarked, where hon. gentlemen entertain any objections to the details of a measure like this, that the attention of the Government should be called to the objectionable clauses before the Bill goes to Committee ; and, indeed, it is well that the attention of the whole House should be called to them, in order that they may have time to examine them before the discussion takes place. With regard to the objections which have been raised to the details of this Bill by my hon. friend on my right, (Mr. Dickey), I may say that I look upon the contemplated changes in the law as a step in the right direction. They recommend the Bill more strongly to my mind than if they had not been made. I think that it has been a reproach to this country that since Confederation no attempt has been made to procure complete statistics. Especially, with regard to vital statistics, I think that the neglect of the Government for years past has been

very reprehensible. Nova Scotia, before Confederation, was the only province that had an organized system of registration of vital statistics. A dispute having occurred as to whether it was the duty of the Dominion, or of the Province to sustain that machinery, it was allowed to fall into pieces, though it had cost the Government of the Province a good deal of trouble to originate it. I am glad to see that the Government at last propose to organize a system whereby the vital, agricultural, commercial and other statistics of the country will be fully and correctly ascertained. Notwithstanding the condition of depression existing in the Dominion at the present time, and the scarcity of money, I think that no one will dispute for a moment, that the money which would be spent for such a purpose as this,— which cannot be a large sum,— would be money wisely expended. With regard to the objection made by my hon. friend, that, in abolishing the present system, for taking the criminal statistics, under the proclamation contemplated by this Bill, no machinery would be provided to take its place. My hon. friend will find that not only does Section 28 provide for supplying such machinery, but also Section 31 gives the Minister of Agriculture complete control over all the machinery which is now at his disposal for the same purpose. The Section is as follows :—

31. The Minister of Agriculture may, in collecting statistics, as and in the manner provided by this Act, call upon any and all public officers to furnish to him copies of papers and documents and such information as lie respectively in the power of such officers to furnish, with or without compensation for so doing, as may be regulated from time to time by order or orders of the Governor in Council.

I am surprised at the objections which my hon. friend has raised to the 18th clause. If there is any case in which such powers as are given by that clause should be exercised, it is in the case contemplated. The comparison which he has drawn between this measure and the assessment laws is not at all in point. The hon. gentleman has himself explained why assessors do not require such powers. Mistakes in an ordinary assessment are not nearly so important as mistakes made in returns which are made in a decennial census which are intended as a guide for the business and legislation of the country. But what is there in the alleged inquisitorial features of the clause to complain of? In the first place, the commissioner cannot exercise this inquisitorial power, unless authorized to do so by the Minister of Agriculture. That power would be given to none but duly qualified officers, and what objection can there be to empowering such men to elicit the truth in the same way as a court would arrive at it? It may, on the face of it, appear to be a very extensive power to give to a non-judicial authority, but I cannot see why there should be any objection to give to an intelligent man, fit for the trust, the same powers to elicit truth, that you would give to the humblest judicial tribunal in the country. We all know that there may be many cases in which it will be necessary to exercise such powers. When the census is being taken it frequently happens that men, thinking their taxes are to be regulated by the returns, under-value their property. The last census was, in some respects, actually valueless in some districts, for that reason. If this information is to be of any use at all, it must be correct, and the only way to ensure its correctness is to have such powers to fall back upon in order to come at the truth. We all approve of the principle of the Bill, and its details can be discussed in committee.

Hon. Mr. ALEXANDER could not but express the view, that there was force in the arguments advanced by his hon. friend from Amherst. It was necessary that Parliament should provide necessary machinery for taking the decennial census correctly and properly. But in the past the whole machinery of Government had been upon an unnecessarily expensive scale. At this moment, the people looked to the Parliament and the Government, to inaugurate a more economical and less wasteful system. A very general feeling obtained in his own district, that with all our perfect municipal system, many of the agricultural census returns could be correctly obtained through the municipal assessors, and a large amount be saved to the country. We should ask ourselves in regard to the proposed additional machinery, to which the Senator from Amherst had taken exception, whether that additional expenditure might not be post-

poned until 1891. Could the leader of the Government state what the last census cost the country?

Hon. Mr. CAMPBELL—I am not aware, but will make enquiry.

Hon. Mr. ALEXANDER—It cost a very large sum.

Hon. Mr. MILLER—It cost over a quarter of a million of money.

Hon. Mr. ALEXANDER—Surely the cost of the last census was heavy enough for a young country of only four millions, and would be especially so now, when we are obliged to increase the public burdens, and the trade of the country is prostrate. The wardens and reeves of his district had frequently asked the question, why the existing municipal machinery could not be made available, without appointing another set of officers.

Hon. Mr. MILLER—Would they do it for nothing?

Hon. Mr. ALEXANDER—They would do it for one half the ordinary census expenditure, and all the objects be attained. The Municipal Assessors, were generally the best men they could get in the township, certainly quite as responsible and care-taking as any could be, that were appointed by the Government. He ventured to offer these suggestions, with all deference to the House and the Government, as worthy of consideration.

Hon. Mr. HAVILAND—I cannot agree with my hon. friend who has just spoken. I believe it would be "penny wise and pound foolish" to attempt to take the census by such machinery. The money expended in collecting statistics of this kind should be no object, because it is absolutely necessary for us to know our state and condition. My hon. friend seems anxious that this census should be postponed. He does not seem to be aware that under the British North America Act the Government have no alternative whatever; they are bound to take the census every ten years.

Hon. Mr. ALEXANDER—The hon. gentleman has misunderstood me. I merely suggested that they should postpone the additional machinery in the census.

Hon. Mr. HAVILAND—I am sorry I misunderstood my hon. friend, but the truth is that he is the economist of this House, and he is very fearful that money should be spent for any purpose whatever.

Hon. Mr. ALEXANDER—Thrown away!

Hon. Mr. HAVILAND—I contend that even to be lavish in some instances is safe, because we will be repaid for the outlay in the long run. I cannot agree with the hon. member from Amherst, with regard to the 18th Section of this Bill. I consider that the power it confers is absolutely necessary for obtaining correct returns and unless that power is conferred in some cases, we will not be able to have a reliable census. I speak from experience. The census of Prince Edward Island was taken in 1871, at the same time as the last Dominion census. We were then building the railway, and there was an impression abroad that we were about to enter the Confederation. The result of not having the power which the 18th Section of this Bill will confer, was that the census was absolutely valueless. There are many instances in which parties under-valued their property, for fear that if they gave a correct return it would increase their taxation. My hon. friend will observe that this is not a power which is given to every census commissioner. Whenever it is exercised the commissioner must receive special authority from the Minister of Agriculture for that purpose, and the Government will be responsible for the inquisitorial manner in which, as same hon. gentlemen suppose, it will be exercised. We might as well give up the census altogether as do without this 18th Section.

Hon. Mr. CHRISTIE—It is matter for congratulation that the Government have at last determined to collect and publish agricultural, commercial and criminal statistics. We have no agricultural statistics, and it has been a standing reproach to the Dominion, that up to this moment we have no machinery for

obtaining them. Turning to the United States, we find the Department of Agriculture issuing every month, a very reliable statement of the agricultural statistics of that country. In some of the newest states of the Union this course is followed, and in this they stand out in marked contrast to our Dominion, where, up to this moment, there is no reliable official record of such statistics. If I were to find fault with this measure, it would be in the direction that the Bill does not go far enough in that particular. The Minister of Agriculture ought to be required to issue, at least, quarterly statements, giving reliable data as to the agricultural condition of the country, and as to the prospects of the crops. This is done in Washington, and has been found to be of immense value to the people of the United States, and to people abroad; and, at least, a shrewd guess can be arrived at therefrom as to the state of the various crops throughout the country, and the probabilities of the yield of each of them. I should like to see that portion of the bill a little more complete; that the Minister of Agriculture should be required to issue, at least, quarterly abstracts of the agricultural statistics of the country. It should not be merely a matter of once in ten years, but there should be a standing force of some kind or other—through the municipal organizations of the country, perhaps—but as inexpensive as possible, for the production of such statistics which, up to this moment, we are wholly without. The same argument applies to the suggestion of my honorable friend from Montreal (Mr. Ryan) with regard to the commercial statistics of the country. It will also apply to the question of vital statistics, and this bill is certainly a great step in the right direction.

Hon. Dr. BROUSE—I think it is the duty of every person who wishes well to his country that he should speak out on this matter. It is one of vast importance, and one that has been too long neglected in the Dominion. I refer specially to that portion relating to vital statistics. I am pleased that the Government are about to initiate some action in this respect. The importance of the remarks that have fallen from the hon. gentleman, who has just taken his seat (Mr. Christie), with regard to agricultural interests getting something in this way, is largely increased when we apply them to vital statistics. Here is a vast young country extending from ocean to ocean, and we know very little indeed of its vital statistics. Other countries take great interest in this question, and if we are not capable of taking action in a matter of such importance, we are scarcely capable of legislating in matters of inferior import. If, as has been stated by a person high in authority, the most distinguished man in England—by healthy legislation and vital statistics we can prevent one-third of the premature deaths, why should we hesitate to adopt such a measure? It has been successfully established in France, Germany and England, and why cannot we also legislate for the health of the people? I think it is the duty of public men to look into such matters, and I am glad to see that the Government have taken the first step. I trust they will find themselves able to go further, as the small, or even a large, amount of money required to carry it out will be well repaid by the improvement of the health of the people. We spend large sums of money annually to induce emigrants to come to this country, although we know nothing of our own vital statistics; while at the same time we could preserve more lives in Canada annually by proper legislation than we can add to our numbers by immigration. It is the duty of the Government to take this step, and I trust they will be able to see their way to enlarge their measure in the direction I have indicated.

Hon. Mr. RYAN—It is gratifying to see that a general opinion prevails in the House as to the necessity of having thoroughly reliable statistics. I do not confine myself to any one class, and although I think the vital statistics are the most essential, yet I consider commercial and agricultural statistics as of very nearly equal importance. There is another branch which I am sure will commend itself to my hon. friend from Amherst, and to other gentlemen who are connected with the Maritime Provinces—it is statistics of our fisheries: to obtain accurate reports of how these fisheries are conducted, and what the products are,—appears to

me a matter of very great importance. I should also recommend that means be taken to have reliable periodical returns of the agricultural progress of each of the provinces of the Dominion furnished; and also to have the commercial statistics of each reported as frequently as practicable. Probably we are not yet prepared to have them monthly, but, as suggested by my hon. friend, Mr. Christie, I think that they might be furnished quarterly, which, as compared with the present state of things, would be a great advance. I am sorry that my hon. friend from Woodstock, who usually takes such an interest in the general prosperity of the country, should hesitate about the expense that might be incurred in obtaining statistics. The hon. gentleman has given notice today of his intention to move for a committee, the object of which is to enquire as to the best means of attracting immigration to this country. I believe the object of that committee would be greatly facilitated by the regular publication of statistical reports. I think it will commend itself to those persons who are selecting a place where emigrants can successfully settle, to have such reliable information, and they will be greatly guided by such statistics, in forming their judgment of the advantages of the Dominion, as compared with other parts of the world. My own idea about this matter is that every facility for collecting these statistics should be given by Parliament, leaving to the Government the control of the details, and holding them responsible for the expenditure to be incurred. I also think that these official returns might include summaries of all foreign commercial transactions, and also the amount of freight carried over our Dominion railroads and waters by our forwarders. Even though that freight may not consist entirely of the products of our own country, it forms an important item of trade. Regular statistics of this sort could, I think, under a proper system, be published very easily, with a small additional expenditure in the Department of the Minister of Agriculture ; but, even if the expense were large, the importance of having these statistics will, I am sure, impress itself upon the Legislature and upon the country, and we should not hesitate to procure them, even at some cost.

Hon. Mr. DICKEY—I fear I have been misunderstood as objecting to the census portion of this bill on the score of expense. I made no such objection. My remarks applied entirely to the second portion of it, which relates to statistics. It appears to me that the Government has exercised a wise discretion in bringing in the bill during the present session, instead of waiting until next year, because I think a great deal of preliminary work can be done in the Department of Agriculture by commencing it now, and thus saving expense. I merely mention this, to show that my objection was not at all to that portion of the bill. As to the other, when the experiment has been tried, and when my hon. friend's (Hon. Mr. Ryan's), desire to get this information has been gratified, he will probably be able to see what the expense has been to the country. I fully recognize the value of all these statistics, but I object, in the present financial condition of the country, to incur that large expense. My hon. friend on my left (Mr. Brouse), who has taken such a deep interest in this matter, and who is so desirous of getting vital statistics of the country, could obtain them in a very speedy and inexpensive manner. I would suggest to my hon. friend the leader of the Government the desirability of sending out circulars to all the medical men ot the Dominion, to ascertain how many patients they kill every year in their practice.

Hon Mr. RYAN—I would also suggest the collection of statistics of the mining capabilities of the country, returns of which would be very desirable.

Hon. Mr. WARK—I fully concur with hon. friends opposite, as to the desirability of obtaining correct and extensive information as to the statistics of the country ; but, unless we have machinery to take reliable statistics they become of very little value. My hon. friend (Mr. Christie), has referred to the manner in which the statistics of the United States are collected annually. They are collected still more correctly in the United Kingdom. There they have the acreage as well as the description of crops under cultivation. In Ireland, these statistics are taken by the Government Police. But as we have not

the machinery for this purpose in Canada, it is all the more important in the taking of the decennial census that it should be as accurate and as full as possible. It was a great defect in the last census that we had the acreage of nothing but wheat, potatoes and hay. Wheat is cultivated only in certain districts of the Dominion. Oats are cultivated everywhere over the whole of Canada, but we have not the acreage of oats. Turnips are cultivated extensively also, but we have not the acreage of turnips, nor is the acreage of barley given. It is of no value to a stranger to the country, to take up the census and see that so many bushels of wheat or oats or barley are produced in a certain county or district, unless he can also see the acreage. If he can see the acreage from which this amount is produced, he can then select the portion of the country that is best adapted to his requirements. If he were a farmer from the old country, for instance, and he wished to introduce a system of rotation of crops, with turnips as one of the rotation, he would want to see in what section of the country the largest yield of turnips per acre was obtained. If he ascertained that in certain sections wheat was not cultivated successfully, but oats were, he would want to see what quantity of oats per acre was raised in the district he desired to go to. I think the acreage should be given of every crop of any importance that is raised in the country, and it is all the more necessary, if we are to have the annual or periodical returns of our agricultural statistics which my honorable friend (Mr. Christie), thinks so desirable.

Hon. Mr. CAMPBELL—I was asked by my hon. friend from Woodstock what was the cost of the last census. I find that it was nearly half a million of dollars.

The Bill was read the second time, and referred to a Committee on Wednesday next.

BILLS INTRODUCED.

FIRST READINGS.

The following Bills from the Commons were introduced and read the first time.

Bill (No. 14) An Act to reduce the Capital Stock of the Quebec Fire Insurance Company.

Bill (No. 10) An act to extend the powers of the Dominion Telegraph Company, and to amend the Act incorporating the said company.

The House adjourned at 4.40 p. m.

THE SENATE.

Tuesday, March 18th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

A PROPOSED ADJOURNMENT.

NOTICE OF MOTION.

Hon. Mr. BELLEROSE gave notice that he would move that when the House adjourns on Friday next, it stand adjourned until the Wednesday following. He explained that his reason for giving this notice was, that Tuesday, the 25th inst., would be a public holiday, and as there were many members of the Senate who would leave for their homes on Friday night, he thought it unnecessary that they should return for one day only.

QUEBEC FIRE INSURANCE COMPANY'S BILL.

SECOND READING.

Hon. Mr. ARMAND moved the second reading of Bill (No. 14) "An Act to reduce the Capital Stock of the Quebec Fire Insurance Company."

The Bill was read the second time, and referred to the standing committee on Banking and Commerce.

THE NORTH-WEST MOUNTED POLICE BILL.

IN COMMITTEE.

Pursuant to order of the day, the House went into Committee of the Whole on

Bill (No 13), "An Act to amend and consolidate as amended the several enactments respecting the North-west Mounted Police."

On the third clause, empowering the Governor in Council to constitute a Police Force, in and for the North-west Territories,

Hon. Mr. CAMPBELL said that the hon. Senator from Manitoba, (Mr. Girard), had suggested that the Bill should be so worded as not to preclude the possibility of employing this force, or a portion of it, in Manitoba. There was nothing in the measure itself to prevent the use of the force there or in British Columbia. The North-west was mentioned because it was really in that vast country which had not yet been made a province of, and which was subject to Indian troubles, that the police would always be employed. Manitoba was, in many respects, like Ontario and Quebec,—a settled country, where law reigned, and people did not require any system of protection different from that which existed in the other provinces of the Dominion. He did not wish his honorable friend to imagine that he had forgetten this point, and he assured him that an opportunity would be given to discuss it before the final passage of the Bill. The intention was not to appoint a paymaster. The force was greatly divided, and payments could be made by officers who were not paymasters with less expense to the country. An assistant surgeon was mentioned. It had been found necessary, in consequence of the division of the force, to employ such an officer.

Hon. Mr. SCOTT said it had never been contemplated to use the Police either in British Columbia, or Manitoba, or the other provinces. After the military force of Manitoba had been disbanded, application had frequently been made for the use of the Mounted Police in that province for many reasons.

Hon. Mr. CAMPBELL—Social reasons.

Hon. Mr. SCOTT—Many reasons had been assigned. Application had also been made from British Columbia during an Indian scare there, but the late Government had thought it prudent not to accede to the request. He observed that by the 30th clause the Governor in Council was empowered to make arrangements with any province for the use of the police force outside of the North-west territories, and it appeared that the suggestion of the hon. Senator from Manitoba had been taken into consideration by the Government. He (Mr. Scott) did not think this wise or prudent, because there would always be a very strong desire on the part of British Columbia and Manitoba to make use of the Force, and he did not consider that any of the provinces should be allowed to use it. The office of veterinary surgeon to the force had been abolished by the late Government, because he, (Mr. Scott,) had found that the horses were in better condition where no veterinary surgeon was stationed. That fact became so evident that he had felt it his duty to abolish the office. He had also noticed that at those particular points where there were no surgeons, there were fewer men in hospital.

Hon. Mr. GIRARD thought that everyone would be ready to admit that Manitoba was the gateway to the North-west territories, and it was for this reason he had suggested to the hon. leader of this House that the head-quarters of the Mounted Police Force should be at Winnipeg. They could occupy the buildings which had been used for the military force at one time stationed in that city. It would save money, and, at the same time, afford better protection to the North-west territories than if the Force were stationed at any point outside of the Province. This was no new proposition. The Act of 1873 wisely provided that the headquarters of the Mounted Police should be somewhere in Manitoba. That Province had been organized while its population was yet very small, and it was too soon to declare that it should protect itself without any assistance from the Dominion.

Hon. Mr. MILLER had no doubt that the hon. Senator from Manitoba considered it very desirable that anything which would lead to the expenditure of money in his Province, should take place. But Manitoba had been established as an independent province, and it ranked, with re-

gard to its police regulations, and the duty of maintaining them, just as the older provinces did. The hon. gentleman had shown no reason why Manitoba should be made an exception to the rule. If such an exception should be made in its favor, British Columbia would ask for similar advantage, and the result would be, that each of the other provinces would expect the Dominion to maintain a police force within its borders. The hon. Senator, (Mr. Girard), would lead the House to believe that the Mounted Police could perform the duties for which they had been organized, as efficiently if stationed at Winnipeg, as if their head-quarters were at some point in the North-west. Nothing could be more absurd than to suppose that such a force could fulfil the object of its establishment hundreds of miles away from the proper arena of its duties. When the Act of 1873 was passed, there was no regularly constituted authority in the North-west Territories outside of Manitoba. At the present time a regular Government existed at Battleford, which had the exclusive authority to administer the affairs of the North-west Territories, and the head-quarters of the force should be stationed within reach of that centre of authority. He was glad to see the attention and liberality which had been extended to Manitoba on every proper occasion, but such an unreasonable request as this should not be entertained by the Government.

Hon. Mr. SCOTT said that a much more cogent reason existed than any which had been given; that was the distance at which the police would be stationed from where they could be profitably employed. The nearest to Manitoba were twenty-five or thirty men at Battleford, seven hundred miles from Winnipeg. A large number were at Fort McLeod, nine hundred miles west of Winnipeg, as the crow flies; some at Fort Walsh, seven hundred and thirty miles from Winnipeg, and the balance at Fort Saskatchewan, nine hundred miles from Winnipeg. To reach Fort McLeod from Winnipeg, or from any other portion of the Dominion, it was necessary to go through the United States. The cost of obtaining supplies would be doubled if they had to be procured from Manitoba. The policy of the late Government, which he observed was being imitated by the present Administration, had been to supply the Force from the United States, and it was perfectly idle to speak of having the head-quarters in, or getting the supplies from, Manitoba. Even the mail had to go through the United States.

Hon. Mr. GIRARD said he had always been treated with such forbearance, that he was hardly prepared for such a criticism of his humble remarks on this Bill. Nevertheless, some of the hon. gentlemen who had spoken had never seen Winnipeg, and did not understand its relation to the North-west. If they had known the country better, they would, perhaps, have used different language in speaking of it. As he had already stated, Winnipeg was the gateway to the North-west. Nothing came from the east, or from the west, without passing through that city. [No. No.] Well, that was what he had witnessed every day. If any hon. gentleman thought differently, he should like to hear his explanation of it. If it was absurd to have the head-quarters at Winnipeg now, it must have been equally absurd in 1873. True, there was a Government established in the North-west Territories now, and more than once this House had been informed that the organization of that Government was premature. It was to be regretted that such a step had been taken at such heavy expense to the country before there was any necessity for it. He proposed at some future day to ask for a statement of the cost of that Government in the North-west Territories, in order to ascertain whether the country had received any benefit from it at all proportionate to the outlay, and to suggest that a cheaper and more efficient form of government be substituted for it. It was in view of making such a proposition that he had suggested to the hon. leader of the House that provision should be made in this Bill for the establishment of the head-quarters of the Mounted Police in Manitoba. His (Mr. Girard's) opinion was that it would be more difficult to communicate from one portion of the Force to another in the North-west, than to communicate with any one portion of it from Winnipeg. He was thoroughly acquainted with the subject, and knew that what he contended for was right.

Hon. Mr. CAMPBELL thought that everyone would sympathize with his hon. friend in doing what he could to advance the interests of Manitoba. Further on in the Bill, an opportunity would be afforded the hon. gentleman to offer any suggestion which he desired to make on this subject.

On the 5th clause, providing for the appointment of supernumerary constables and scouts, and increasing the Force in case of emergency,

Hon. Dr. CARRAL wished to know if it was the intention of the Government to increase the Force?

Hon. Mr. CAMPBELL—The Government have taken power to do so.

Hon. Dr. CARRAL was glad of it, because troubles might arise at any time in the North-west with the Indians, and the Government should possess power to increase the Force if necessary.

Hon. Mr. CAMPBELL thought that if the House would consider the possibilities of the future which have to be encountered in the North-west, the Bill did not provide for the employment of an excessive Force to preserve peace, life and property in that country. Between Winnipeg and the Rocky Mountains there were something like 25,000 Indians, which pre-supposed at least 5,000 able bodied men wandering about, and very often, he regretted to say, in distress and difficulty with regard to food. There was also the possibility of Indians coming in from the United States, and in addition to that, a large population of half-breeds. When the Mounted Police Force was first organized there was an infantry force at Winnipeg which gave confidence to those who had to deal with that large territory and its nomadic population. Now that there was no infantry force it was thought desirable that the Government should have power to increase the Mounted Police Force in case of necessity. The appointment of scouts was a matter which could only be adopted on the recommendation of the officers in charge of the Force, who considered that the Government should have the power to get information as to the movements of Indians in that way.

The clause was adopted.

On the 8th clause, to define the powers of officers and constables of the force,

Hon. Mr. MILLER said that it seemed to him there was something incongruous in this section. What could the Mounted Police Force have to do with carrying out the criminal laws "in every province of the Dominion?" He could see but one possible case where such a provision was necessary,—where it would be required to arrest a criminal in Manitoba for a crime committed in the North-west Territory,—and he thought that this could be provided for in a more explicit way.

Hon Mr. CAMPBELL said that there could be no intention to send this force to Cape Breton. He fancied that the expression was in the original Act, and was to provide that the Commissioner and Assistant-Commissioner should have the powers of stipendiary magistrates in British Columbia and Manitoba; and it certainly was desirable that they should have such power.

Hon. Mr. MILLER—But this applies to constables.

Hon. Mr. CAMPBELL said that many occasions might arise, as for instance, in case some camp of Indians at Cypress Hills, not far from the boundary of British Columbia, returning into that Province with stolen property. It might be necessary, under such circumstances,—to follow them, and difficulties would arise if they had no jurisdiction in that Province.

Hon. Mr. SCOTT explained that the reason why these words had been inserted in the existing Act, was because at that time there was no administration of criminal justice in the North-west Territories, and all criminals had to be brought to Manitoba. It was because of the large expense attendant upon this that the Government of the North-west had been organized. In one case, where a murder had been committed at the Cypress Hills, the cost of bringing the criminal to Manitoba, and his trial, amounted to some $14,000. Since the organization of the Government of the North-west Territories the necessity for allowing the Police to have any sort of power in Manitoba had

ceased. However, he did not object to the section.

The clause was agreed to.

On the 10th clause, providing for free grants of land for good service to all members of the Force who should join it before the 1st of July next,

Hon. Mr. SCOTT asked why that date should be fixed, and why the free grant should be restricted to those who joined before it.

Hon. Mr. MILLER said that the reason which had been given by the leader of the Government in the other House was that the numerous applications for admission to the Force showed there was no necessity for continuing to offer such an inducement.

The clause was adopted.

On the 11th clause, empowering the Governor in Council to appoint the place which should be the head-quarters of the Force,

Hon. Mr. GIRARD suggested that the clause should be amended in such a way as to enable the Government to name Winnipeg as the head-quarters.

Hon. Mr. CAMPBELL thought that the hon. Senator would find the 30th section enabled the Government to use the Force in Manitoba. There really was no intention to establish the head-quarters at Winnipeg, and it was, perhaps, better that his honorable friend should understand it

Hon. Mr. MILLER said that it would be inconsistent with the scope of the Bill to establish the head-quarters at a point outside of the North-west Territories.

Hon. Mr. GIRARD contended that Winnipeg was the most convenient and central point, and that the country would gain largely by the selection of that city as the head-quarters.

Hon. Mr. MILLER denied that the circumstances were the same now as when the Act of 1873 was passed. In 1873 the only constituted authority we had for the North-west was in Manitoba, and was known as the Council of the North-west. To-day a very different state of things existed. There was now a regularly constituted Government in the North-west, with its head-quarters at Battleford, and a law which might have been quite proper in 1873 would be wholly inconsistent with the present circumstances and condition of the country. There were two distinct seats of Government in that great territory now, hundreds of miles apart; there was but one in 1873, and the Council of the North-west, both located at Winnipeg. The reason why he objected to any portion of the Force being stationed at Winnipeg, was because it was outside of the territories which that Force had been organized to protect. This Parliament would not be called upon to deal with such a question at all, if it were not for the peculiar circumstances of the great country west and north of Manitoba, which rendered it necessary for the Dominion Government to deal with matters which, in all other parts of the Dominion, were within the jurisdiction, and formed one of the obligations of the local legislature. He gave his hon. friend (Mr. Girard) credit for the able and zealous manner in which he advocated the interests of his Province. The very modest way in which the hon. gentleman attempted sometimes to qualify and excuse the ability of his efforts in that direction, had even a better effect in carrying the House with him. In fact, the hon. Senator's appeals to the hon. leader of the House, were generally irresistable and it was because of this dangerous influence upon the leader of the Government that he (Mr. Miller) felt it his duty to rise and speak as strongly as he had done.

The clause was adopted.

On the 15th clause, "Application of pecuniary penalties,"

Hon. Mr. CAMPBELL said that there was a change in the clause which would recommend itself to the favorable consideration of the House. It was that the funds arising from pecuniary penalties which were, under the present law, applicable only to the payment of rewards

for good conduct or meritorious services, should also be devoted to the establishment of libraries and recreation rooms.

Hon. Mr. SCOTT suggested that the language should be wider so as to allow of the fund that had already accumulated being applied in the same way.

Mr. MILLER contended that the measure could not be made retroactive.

The clause was adopted.

On the 18th clause, "Punishment for unlawfully buying or selling arms, &c., or refusing to deliver them up,"

Hon. Mr. GIRARD said three months imprisonment was not a sufficient punishment. For instance, if a member of the force should retain in his possession a valuable horse or accoutrements, the law should provide for his imprisonment until he should make restitution of the property.

Hon. Mr. CAMPBELL considered that would be a very arbitrary law. If the thief were not able to make restitution he would then have to remain in prison all his life.

Hon. Mr. MILLER thought that there was a good deal of force in what his hon. friend (Mr. Girard) had pointed out. Two or three valuable horses might be stolen; the thief might refuse to give them up, suffer three months imprisonment, and then retain the property. He suggested that discretionary power should be given to the magistrate to imprison the culprit from three to six months.

Hon. Mr. SCOTT did not think this clause would supersede the criminal law of the country, under which the thief could be punished for larceny.

Hon. Mr. CAMPBELL said that the clause was the same as in the old Act, and it had been found to work very well.

The clause was adopted.

On the 29th clause, "What Department should have the management and control of the force,"

Hon. Mr. CAMPBELL said the only change was that the Department of the Interior was substituted for the Department of Justice.

Hon. Mr. TRUDEL suggested that it would be better to place the Mounted Police Force under the control of the military authorities.

Hon. Mr. CAMPBELL thought it was safer where it was, because the Department of the Interior had charge of the whole administration of the affairs of the North-west.

Hon. Mr. MILLER said that the Mounted Police was not a military but a police force, and it would be rather an anomaly to place it under the control of the Militia Department.

The clause was adopted.

Hon. Mr. CAMPBELL said that unless his hon. friend from Manitoba desired to offer an amendment to have the head-quarters of the force at Winnipeg, he would ask the Committee to report the Bill now. He was satisfied that the head-quarters could not be at Winnipeg, and as Manitoba would have all the advantages of the protection of the Force when necessary, he could not see how they could claim to have the head-quarters there, any more than Ontario or any other province of the Dominion.

Hon. Mr. GIRARD said that the necessary buildings were already erected in Winnipeg, and they could be made available without expense. He would not press for what he had asked, and would accept what the Government considered proper in the Bill.

The Committee then rose and reported the Bill without amendment.

The third reading was fixed for to-morrow.

The House adjourned at 4.27 p. m.

THE SENATE.

Wednesday, March 19th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine preceedings.

NORTH-WEST MOUNTED POLICE FORCE BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of the Bill (13) "An Act to amend and consolidate as amended the several enactments respecting the North-west Mounted Police Force.

The Bill was read the third time and passed.

BUILDING SOCIETIES (ONTARIO) BILL.

SECOND READING.

Hon. Mr. MACPHERSON, in the absence of hon. Mr. Allan, moved the second reading of the Bill (E) "An Act respecting Building Societies in the Province of Ontario."

Hon. Mr. DICKEY was sorry that the hon. gentleman who had charge of the Bill was not present, as he wished to call attention to an inconsistency between the preamble and some of its clauses. The preamble was of an explanatory nature, reciting the fact that certain doubts had arisen as to the meaning of certain words in the second section of the Act 40 Vic., cap. 49; and there had slipped into the Bill a very important section which was as follows:

> Any Permanent Building Society carrying on business in the Province of Ontario, having a fixed and permanent capital stock of not less than one hundred thousand dollars, is hereby authorized to carry on business in any province of the Dominion of Canada, and for such purpose is hereby declared to be a body corporate, with all the powers, privileges and liabilities heretofore enjoyed by such Society in the Province of Ontario only.

That was a very sweeping clause, and was not in conformity with the preamble.

Hon. Mr. MACPHERSON said that it could be considered in the committee to which the Bill would be referred.

The Bill was read the second time and referred to the Committee on Banking and Commerce.

LONDON AND CANADIAN LOAN AND AGENCY COMPANY'S BILL.

SECOND READING.

Hon. Mr. BENSON moved the second reading of Bill (F) "An Act further to amend the Act incorporating the London and Canadian Loan and Agency Company, limited." He explained that the object of the Bill was to supply the defect in the charter of the Company with respect to the transfer of shares.

Hon. Mr. DICKEY called attention to certain objectionable features in the measure. The first clause provided that in case the interest of a person in a share should pass from one to another, through the death or insolvency of any such holder, the directors should not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the company, until a declaration in writing executed by the former shareholder should have been fyled with the manager of the company, and approved by the directors. Now, it was a serious anomaly to require the assent of the bankrupt or insolvent to such a transfer. It would be found very inconvenient. The second clause provided what should be sufficient justification for the directors to recognize the transmission by will. This clause required that the will, or an authenticated copy thereof, should be deposited with the company. Now, he saw no reason why this should be necessary, when, in the case of banks, it was only necessary to exhibit probate. The third clause was of a still more extraordinary character. If a man should come forward and claim a share, and had good grounds for it, as it would afterwards appear, the company could throw him into chancery, and make him pay the costs of it, whether he succeeded or not. His share could not be transferred until he paid the costs. It appeared to him that there was no precedent for such legislation. It was a

startling anomaly that a person who had a legal right to a share or a dividend could be put into chancery, and even if his legal right were established, that he should be compelled to pay the costs.

Hon. Mr. BENSON said that the details could be discussed in committee. There was no desire on the part of the company to acquire any powers which were not conferred upon banks. The object of the company would be best explained by the following extract from a letter which he had received from its Toronto agent:

> We have just received instructions from Scotland to transfer the shares of two of our stockholders who have recently died, and on getting our solicitors to look into the question of the authority required for this purpose, we are advised that, notwithstanding the fact that a will may have been duly proved in Britain and probate granted, our law here requires that probate shall also be taken in this country, and such a course, although it may not be attended with any *considerable* expense, would doubtless be regarded by British investors as an obstacle in the way of ready realization on stock.

He could explain nothing further at present, but if the Bill would be allowed to pass the second reading, the parties interested could come before the committee to which it would be referred, and meet the objections which had been raised by the hon. gentleman.

Hon. Mr. MILLER thought that the remarks of his hon. friend (Mr. Dickey) were calculated to arrest the attention of the House. The Bill contained some extraordinary clauses, and he feared that, in too many cases such measures had been allowed to go through Parliament, and become law without sufficient supervision. In some instances pointed out by his hon. friend, (Mr. Dickey), it would be a gross injustice to allow such special legislation to favor any company to pass. He should like to ask some explanations with regard to the fourth clause. The section itself did not afford any clue to its meaning, and it might mean a good deal. It was as follows:

> 4. The sixth section of the said Act, twenty-seventh Victoria, chapter fifty, is hereby amended by inserting after the word "investment" the words "or which they may have acquired or may acquire in exchange for any such real estate," and by adding after the word "lease" the following words, "exchange for other real estate or mixed consideration."

He would like to have some idea of what the effect of these two alterations would be.

Hon. Mr. BENSON explained that the object was to empower the company to exchange property which might come into their hands, for other property partially, and some money. As he had already stated, he would prefer to let the parties come before the Standing Committee on Banking and Commerce, and explain what they desired.

Hon. Mr. MILLER said that it was very desirable that the leading features of the Bill should be understood at the second reading, and that the House should not endorse them unless they were all of a satisfactory character.

Hon. Mr. CAMPBELL said there was nothing extraordinary about the fourth clause. These companies were often obliged to take real estate in payment of money advanced by them, and this clause was to give them power not only to sell such real estate, but to exchange it for other real estate, and partly for money,

Hon. Mr. ALEXANDER suggested that it would be far more satisfactory to introduce a general bill regulating such matters, than to confer a privilege of this kind upon one company, which was not extended to all similar societies.

Hon. Mr. CAMPBELL said that it would no doubt be more desirable if such matters could be dealt with in a general measure. There did not seem to him to be any thing unusual in this Bill. The powers of transfer were the same as appeared in the Banking Act, though it did seem odd that a transfer should be signed by the owner of stock who might be bankrupt. He did not think that the question of depositing probate was at all unusual. The object of the Bill was simply to save the necessity of taking out letters of probate in this country, when they had been issued in England or Scotland. It seemed to him at first sight to be rather unfair to saddle a person with costs for the establishing of his claim to a share. No doubt it was advantageous to have the objections to a bill pointed out at the second reading,

and he hoped that they would be carefully considered in committee.

The Bill was read the second time, and referred to the Committee on Banking and Commerce.

DOMINION TELEGRAPH COMPANY'S BILL.

SECOND READING.

Hon. Mr. VIDAL moved the second reading of Bill (10) "An Act to extend the powers of the Dominion Telegraph Company and to amend the Act incorporating the said Company." He thought that no member of the House would object to any clause of the Bill. The first was to extend to the Dominion of Canada the provisions of the original Act of incorporation which was passed in 1871, before British Columbia or Prince Edward Island entered the union. The second section was to enable the Company to lease their line or any portion of it from time to time, and also to enter into arrangements for the use of the telephone with any company or party. The third section was to supply an omission in the Act of incorporation, and bring it into harmony with acts of a similar nature relating to other companies. The fourth section was to enable the Company to call general special meetings, by giving due notice therof in the daily papers. The fifth clause was to enable twenty-five of the shareholders, representing a certain amount of stock, to call a general meeting either through the directors or, should they refuse to do so, independent of them. The last clause was to empower the shareholders to change the qualifications of directors. The present qualification was the ownership of ten shares; this clause would enable the shareholders to pass a by-law raising the qualification to any number of shares under forty, as they might see fit. The Bill appeared to him to be in the direction in which our legislation generally tended —giving greater security, influence and power to the shareholders, and affording them an opportunity of seeing that the directors carried out carefully and fully the powers vested in them.

Hon. Mr. MACFARLANE thought that there could be no objection to extending the powers of this Company. It had done a great deal of good for the country, especially in the Lower Provinces. Not only had it reduced telegraphic rates, but it had greatly added to the facilities for communication. The Company had well won its way in popular favor, and nobody could object to this Bill.

Hon. Mr. PENNY asked if it was intended to amend the Bill as it came from the other House.

Hon. Mr. VIDAL replied that it was not intended to change it.

The Bill was was read the second time and referred to the Committee on Railways, Telegraphs and Harbors.

CENSUS AND STATISTICS BILL.

IN COMMITTEE.

Pursuant to the order of the day, the House went into Committee of the Whole on Bill (B) "An Act respecting Census and Statistics."

On the 9th clause: duties of enumerators,

Hon. Mr. CHRISTIE suggested that previous to the domiciliary visits of the enumerators, blank forms should be distributed to every house, and that such forms should be filled up by every householder.

Hon. Mr. CAMPBELL said he had no objection to adopting the suggestion if the hon. gentleman would allow it to be optional.

Hon. Mr. CHRISTIE said this was the course pursued in England and the United States, and it ensured greater accuracy in taking the census.

Hon. Mr. MILLER asked if the same system had not been pursued in Canada in the taking of the last census?

Hon. Mr. CHRISTIE replied that it might have been done in some cases, but it should be imperative in all cases.

Hon. Mr. MILLER considered that the 4th section empowered the Minister of Agriculture to issue the requisite forms and instructions. In the taking of the previous census, blank forms were distributed previous to the domiciliary visits of the enumerators, and he presumed the same course would be pursued in the coming census.

Hon. Mr. PENNY thought while there was such a gallant gentleman in the chair, he might suggest some means by which they could induce the ladies to give accurate information as to their age. He had always understood from enumerators that that had been one of the most difficult and delicate points they had to deal with.

Hon. Mr. CAMPBELL was unwilling to make the distribution of blank forms compulsory until he could ascertain what expense it would entail. Under the 4th clause the distribution of forms could be made if it were considered advisable.

Hon. Mr. DICKEY said that the 4th Section of the Imperial Act of 1870, (33 & 34 Vic., Cap. 107), provided for the distribution of householders, schedules at dwelling houses, for the purpose of being filled up with the particulars of the name, sex, age, rank, profession, or occupation, condition, relation to head of family, and birthplace of every living person who abode in every house on the night of the second of April. The schedules were distributed on the day previous, and were collected by the enumerators of the different divisions on the following Monday morning.

Hon. Mr. PELLETIER considered that clause 15 provided for a distribution in advance of schedules, and there was a penalty for refusal or neglect to fill up such forms. He remembered that this had been done in Quebec at the taking of the last census. The schedules were distributed ten days in advance of the domiciliary visits of the enumerator, and in this way they were able to take the enumeration more accurately and rapidly than it could otherwise have been done.

Hon. Mr. MILLER thought such forms were absolutely necessary.

Hon. Mr. CHRISTIE explained that the object in sending the forms in advance of the visit of the enumerator was to give him an opportunity to correct any deficiency in the filling up of the schedule. As it was the law in England, there could be no objection to embodying it here.

Hon. Mr. CAMPBELL admitted that the census was taken with great accuracy in England, but the area of the country was comparatively small, and what could easily be done there might be attended by very considerable expense in Canada. He agreed with his hon. friend from Arichat, that the scope of the Bill seemed to leave the distribution of schedules optional with the Minister of Agriculture.

Hon. Mr. PENNY said the forms distributed to householders previous to the last census were so complicated that they required a person to have some experience to fill them up in a proper manner.

Hon. Mr. BULL contended that the distribution of schedules should be optional with the Minister of Agriculture, because he knew that practically the enumerators filled up twenty per cent. of the schedules themselves. It was very desirable that they should all be filled up and collected on the first day, but, as a matter of fact, it could not be done.

Hon. Mr. AIKINS also contended that it should be left optional, because in some of the out-of-the-way places, such as Muskoka and Algoma, the distances between settlements was too great, and in many cases the parties would not know how to fill them up properly.

The further consideration of this clause was postponed until to-morrow, at the request of Mr. Campbell.

On the 18th clause : Minister of Agriculture may direct enquiry to be made under oath,

Hon. Mr. DICKEY said that he would not weary the Committee by repeating the arguments he had urged against the adoption of this clause when the Bill was before the House for second reading. He regretted, however, that the Government had not taken the English Act as their

model. It was a matter of history that under the Act of 1870, for the Imperial Census of Great Britain and the Empire, the census was taken on the 3rd of April, and an abstract of it, showing the total population of the Empire, was laid on the table of the House of Commons on the 20th of June immediately following. Looking to the experience of the past census in Canada, he would like to impress upon the Government the necessity, by some simple process or arrangement, for prompt returns of the coming census, that the country should not be called upon to wait for months, perhaps for years, before getting any information as to the population and condition of the Dominion. With reference to the clause under discussion, he ventured to say that no precedent could be found for such inquisitorial powers under a British Act since the days of the Star Chamber. He found on examination of the English Act, there was no such power given there, and he could see no necessity for embodying it in this Bill. Under the 16th clause every person was obliged to answer the questions that might be put to him by the enumerator, under a heavy penalty, if he made a wilfully false answer, but, in addition to this, the Minister of Agriculture was given power to establish little courts before which parties could be summoned and examined as to their private affairs under oath, witnesses might be called, and private documents and title deeds would have to be produced. He was quite aware that this clause was in the former Act, but that was no reason why it should be embodied in this Bill. Perhaps it had never been acted on, but now they were legislating for all time, and he thought that his hon. friend should be satisfied with the powers that were given to the Secretary of State of England by the Imperial Act of 1870, and ought not to ask for anything further. He hoped that the honorable gentleman would withdraw the clause for the present, and consider the propriety of dispensing with it altogether before the third reading of the Bill.

Hon. Mr. CAMPBELL did not think that the adoption of this clause would be attended with any evil consequences. If there had been any abuse of the power in the past, the country would have known it. There were newspapers in all parts of the Dominion that would have been only too ready to publish any thing novel, had any such abuse occurred. In England a clause of this kind might not be necessary, but there was a great deal of difference between the circumstances of that country and of ours. There the population was dense, the territory was small, and the enumeration was easy. As no evil had resulted from the existence of this provision in the old Act, and, as the officers who were to have charge of the census had asked for its re-enactment, he could see no ground for the objections which had been urged against it. The powers of enumerators to ask questions and to punish those who wilfully gave false answers was one thing, and the power conferred by this clause was another, and a different thing altogether. It was one which could only be exercised under authority of the Minister of Agriculture. A minister of the Crown was a responsible person, and it was not likely that he would put this machinery in force, unless there were urgent reasons for it. It was not for the ordinary purpose of collecting statistics, but for the purpose of correcting some serious error which the Minister might believe had crept into the returns. Why should he not have power to appoint such a commission, supposing that necessity for it should arise. For instance, if some particular return, say from British Columbia, were believed to be very imperfect, (suppose it were about mining property), there would be no means of rectifying the error unless the Minister had the power which this clause would vest in him. The courts could not interfere, because it would not be a subject of litigation; and the Government would have no power to act. The hon. Senator from Amherst was mistaken when he supposed that there was any intention to investigate the titles of real estate. The clause had reference only to personal property, and there could be no enquiry as to whether a man had a good title for his property. That was not the object of the census.

Hon. Mr. DICKEY—Then what is the reason for giving power to force parties to produce their title deeds?

Hon. Mr. CAMPBELL—There is no such power given.

Hon. Mr. DICKEY quoted the language of the clause :— "Requiring and compelling them to give evidence on oath, whether orally or in writing, and to produce snch documents and things as he deems requisite to the full investigation of such matter or matters."

Hon. Mr. CAMPBELL—That has nothing to do with title deeds.

Hon. Mr. MILLER said that the question of title did not enter into the matter. The production of title deeds could not be demanded.

Hon. Mr. CAMPBELL said that there was no such power in any portion of the Bill, and it was idle to suppose that a man could be called upon to produce the title deeds of his real estate. Where the word "documents" was used, it referred to such documents as were pertinent to the census which the enumerators were authorized to take. It seemed to him that there was no possibility of this power being abused, and unless a clause of this kind were enacted, there would be no means by which an error in the returns could be corrected, the census would be imperfect, and the great expense to which the country would be committed would be, *pro tanto*, wasted. He was not prepared to admit that this power was unusual or unprecedented. He was not sure that the Customs authorities were not empowered to make such inquiries. In taking a decennial census of this kind, where accuracy was every thing, surely there should be some machinery over and above the power given to the enumerators, to correct any grave or important error that might affect the whole census, and render it useless. It seemed to him that without a clause of this kind the Bill, would be very imperfect. With reference to the suggestion that had been made, that the census of England had been taken in a single day, and was published in the course of a month or two,—he admitted that the delays which occurred in connection with the last Canadian census were very grievous. He trusted that there would not be the same reason for complaint on this occasion, though it would be very difficult and inordinately expensive to take the census of such a country as this is in one day. The great difficulty as to the tardy publication of the last census returns was the inefficiency of many of the persons who were engaged. The result was the sending in of a number of imperfect returns which were very difficult to compile. He was sure the hon. gentlman charged with the department of Agriculture, would give the fullest and earliest attention which the matter was susceptible of receiving. He believed that after the experience of the past, the delay in the publication of the last census was not likely to occur now. He did not know whether the intention was to try to take the census in a single day or not, but he hoped the hon. gentleman would not press his objection to this clause.

Hon. Mr. DICKEY—My hon. friend says that there is no power given to the enumerator to call upon a party to produce his title deeds.

Hon. Mr. CAMPBELL—No.

Hon. Mr. DICKEY asked in what other way this power could be exercised, because a party was obliged to give an account of his dwelling-house, and of the lands that he occupied. If he gave an incorrect answer to the enumerator, how was the inaccuracy to be discovered, except by the production of the title deeds, or any documents that the enumerator might deem requisite to a full investigation of such matter or matters? While he had every confidence in the present zealous and capable Minister of Agriculture, at the same time he did not think that this was a power which should be put into the hands of any man. They did not know who his successor might be, and this was a law for all time. It was strange that governments held on to these extraordinary powers, merely because of a possible necessity for them in the future. He did not see, however, why his hon. friend should ask for greater powers than were found necessary in England. It was not a question whether there was any difficulty in taking the census, but it was a question whether they should invest anyone with this extraordinary power. With reference to the taking of the census in one day, his hon. friend seemed to think it was almost impossible of accomplishment. He, (Mr. Dickey), could not see anything to prevent it.

Hon. Mr. CAMPBELL said that in parts of the country the population was very sparse, and the houses were miles apart ; so that the enumeration could not be taken in one day.

Hon. Mr. PENNY thought that it was simply a question of having a sufficient number of enumerators. If one man could do the work in three days, three men could do it in one day.

Hon. Mr. CAMPBELL said it was not so easy in practice as it was in theory.

Hon. Mr. AIKINS said that the difficulty was in having to summon so many men before the Commissioners to get instructions; it increased the expense.

Hon. Mr. PENNY considered that no instructions could be more effective than written instructions. There were two great difficulties about the taking of the last census ; one was, that inefficient persons were employed as enumerators, and the other was, that the questions were of so complicated a character, and were capable of such different construction, that they would have puzzled a Philadelphia lawyer to answer them correctly. In his own case, he had had the schedules several days in advance, and when he had filled them up, he did not feel at all satisfied that the questions had been answered in a proper manner. The probability was that a great many other persons found it more difficult than he had. He could hardly imagine a case where the production of a title deed would be called for under the operation of this 18th clause. The 3rd clause described the subjects into which the enumerators were to enquire, amongst them the fishing lumbering, mining, mechanical, manufacturing, trading, and other industries. This might be incidental to the whole subject, and it might happen that in certain kinds of industries a full exposition of a man's affairs, or even of the amount of business he did, might be a matter of considerable inconvenience and loss to him. A man's credit, for instance, might depend upon the supposed amount of business he had, and it would be unjust to expose his affairs, when he might suffer loss through it. This was an evil that might arise out of the exercise of this power. He thought, however, that in practice it would not amount to more than an *ad terrorem*.

Hon. Mr. MILLER said that reflection had confirmed him in the opinion which he had expressed on the second reading of the Bill. It was very easy to raise a prejudice against the assumption by a Government, of anything in the nature of inquisitorial power, even where reason was on the other side. His hon. friend from Amherst had cited the law as it exists in England as a precedent that should be followed. If his hon. friend had given a little more attention to the subject, he would have found there was no necessity for such a provision as this in England, because the census there was very different from which it was in this country. In England, it was of the very simplest character, but in this country the Government very properly aimed at securing a large amount of valuable information as to the resources of the country, (commercial, agricultural, and vital statistics,) and it was to obtain accurate information on such matters that this power was asked, although it found no place in the English Act. It seemed to him that a great deal of time had been spent in discussing a point which had no application whatever to the case. The section, in the first place, was extremely guarded. The power which it was intended to vest in the census commissioner for the purposes of that section, had, in the first place, to be obtained upon special representation to the Minister of Agriculture, and no census officer would have power to act under that clause unless he could satisfy the Minister that the particular circumstances of the individual case, or of the district, required that such power should be vested in him. There was the first protection against anything like improper interference with the liberties of the subject, and no one could doubt, that if such an application were made to the Minister, he would hesitate before granting such power, unless it were absolutely necessary to do so. That alone was a sufficient guard against any abuse of the power given under this section, and as that power was only given in relation to the object of the section itself, it could give the officer no authority to enquire into a man's title to his pro-

perty; therefore, it could give no power to demand the production of documents in connection with that title. But, supposing it did, if it were necessary that a man's title deeds should be produced, in order that the truth should be arrived at, why should they not be produced? If a man had misrepresented or had testified falsely as to his property or anything else on which accurate information was required for the census, why should he not be compelled to produce his title deeds? Was there anything wrong in making a man do what was right? But as the hon. Receiver General had very pertinently said, the object of demanding the production of documents under this clause was not to form any opinion on, or to investigate the title of a man's property; therefore, his title deeds would not necessarily be called for by the Commissioner for any such purpose. But they might be called for in order to get accurate information with regard to his real and personal property. The circumstances attending the taking of the census in this country were so entirely different from those in England, that he did not think the committee would have any difficulty in insisting upon the 18th clause being retained.

Hon. Mr. DICKEY said his hon. friend was entirely mistaken as to the objects for which the census was taken in England, and it was strange that the committee should be told that the English census was merely to number the people. The 6th section of the Imperial Act distinctly provided also for taking an account of the unoccupied houses, and of the houses then building, and therefore uninhabited, and also of all other uninhabited houses, the several parishes in each division, incorporated cities or boroughs, or towns, or ecclesiastical districts, etc. With regard to the argument that had been used that this power could do no harm, he would reply that the objection was, to giving this power at all. He hoped the hon. leader of the House would take his objection into consideration.

Hon. Mr. KAULBACH did not think his hon. friend from Amherst had shown that the census in England was taken to the same extent it was in this country. He thought this was a very proper clause, and it was a proper power to vest in the Government, as it would have the effect, when the people knew the authorities had such power, of eliciting accurate information, which otherwise might not be obtained if such a clause were not in the act.

Hon. Mr. MILLER said his hon. friend from Amherst had shown that the census of England was entirely different from the census of the Dominion. He had admitted that in addition to vital statistics the English census was simply a record of empty houses, and houses that were occupied, questions about which there could be no controversy, but the subjects on which information had to be obtained under our law were of such a nature as might lead to a great deal of controversy, and would require investigation.

The clause was agreed to.

On the 28th clause,

Hon. Mr. CAMPBELL said that this and all the succeeding clauses of the Bill were new. This 28th clause empowered the Minister of Agriculture from time to time to make rules and regulations for collecting and publishing vital, agricultural and other statistics. By experience it had been found desirable to adopt the plan of having Orders in Council to govern the obtaining of these statistics, rather than to have cast-iron rules laid down by Act of Parliament. The truth was, in collecting all statistical information, experience was the best guide. The hon. Senator from Erie (Mr. Christie) had suggested the other day, that the publication of statistics, especially such as related to agriculture, should not be delayed to the end of a long period, but should take place at certain fixed intervals during the year. He (Mr. Campbell) had mentioned that to the Minister of Agriculture, and such efforts as could be made to attain that end would be put forth, but it was impossible at this time to say how far they would be successful. He recognized the importance of the suggestion, and desired to act upon it, as far as possible without incurring inadequate expense.

Hon. Mr. CHRISTIE called attention to the fact that the collection of vital,

agricultural, commercial, criminal and other statistics was wholly in the discretion of the Minister of Agriculture. All the clauses relating to the taking of the census were imperative; all the clauses relating to the collecting and publication of statistics were permissive. It would be far better to make the whole of them imperative. It was a standing reproach to the Dominion that we had no reliable statistics, and if he had any fault to find with the Bill, it was that it did not go far enough.

Hon. Mr. CAMPBELL was glad to see that his hon. friend who had long occupied the position of a very prominent Liberal, was willing to trust the Government with more power than they had asked for. The difficulty in using a peremptory word, might possibly be that it would compel the Government to collect statistics at an expense which might not be justifiable. If the hon. gentleman wished to offer an amendment, it would be better to do so at a subsequent clause.

Hon. Mr. MILLER thought that the object which the hon. Senator from Erie (Mr. Christie) had in view, could be carried out, if he would make it compulsory on the Government to frame rules and regulations, and to appoint officers to carry out these rules and regulations. By substituting "shall" for "may," in the 28th and 29th clauses, this would be accomplished, and there would be no necessity for changing the subsequent clauses.

Hon. Mr. CAMPBELL thought it very unusual to make it compulsory on the Governor in Council to appoint more officers. Generally, the desire was to check a tendency in that direction. If the desire of the committee was to make it the duty of the Government to collect statistics, they should introduce a clause for that purpose.

The 28th clause was adopted.

The 37th clause, making provision for fixing the salaries of employes under this measure, and their payments, was allowed to stand.

The remaining clauses of the Bill were then adopted.

Hon. Mr. CAMPBELL said that as the question of making it compulsory on the Government to obtain statistics had been raised, he would ask the Committee to report progress.

Hon. Mr. HAVILAND, from the Committee of the Whole, reported that they had made some progress, and asked leave to sit again to-morrow.

The House adjourned at 5.15 p.m.

THE SENATE.

Thursday, March 20th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (G) "An Act to amend the Act relating to Banks and Banking, and the Acts amending the same." (Hon. Mr. Campbell.)

The Bill was read the first time,

THE PROPOSED ADJOURNMENT.

THE MOTION AGREED TO.

Hon. Mr. SMITH, in the absence of Hon. Mr. Bellerose, moved:—

That when this House adjourns to-morrow, (Friday,) it do stand adjourned until Wednesday, the 26th day of March, instant.

After a brief discussion, the resolution was adopted on a division.

CENSUS AND STATISTICS BILL.

IN COMMITTEE—SECOND DAY.

Pursuant to order of the day, the House resumed the consideration, in Committee of the Whole, of Bill (B) "An Act respecting Census and Statistics."

Hon. Mr. CAMPBELL said that when the House was last in committee, he had asked that the consideration of one or two clauses should be postponed

until he had an opportunity of examining the suggestions made by the hon. Senator from Erie, (Mr. Christie), with reference to making the measure more compulsory than it was at present. As it stood, the whole scope of the Bill was permissive. He (Mr. Campbell), had prepared an amendment in the direction proposed by his hon. friend, as was disposed, after consulting the gentleman more immediately charged with the measure and the duties which would have to be performed under it, to adopt the suggestion to make it compulsory. But before mentioning the changes which he would ask the committee to adopt, he desired to say that he had made research in another direction also, and found that the hon. Senator from Arichat was quite right in saying that the scope of the English census was far more limited than ours. The English schedule was limited to eight columns, and was purely personal, whereas in taking the Canadian census, there were nine schedules embracing 201 columns. Hon. gentlemen could see that it was very much easier to take the census in England, than to take the Canadian census, and collect all the information which accompanied it. The hon. Senator from Arichat was, therefore, quite correct in the view he had taken, that a much longer time and greater care were needed here than in England, and that the provisions should be different. A great deal of the statistical information collected by the census enumerators in this country was derived from the police, boards of trade and other sources. Attention had been called to the fact that there was considerable delay in the publication of returns in Canada. He was informed that the returns similar to those which were made in England, relating merely to the population, were published as quickly in Canada as in England. The abstract of the mere number of inhabitants was given in Canada a little in advance of the English abstract. These were not the census volumes, but sheets published in advance, containing such information as was given in the English abstracts. He was also informed that the two first volumes of the census of 1871, comprising what the English volumes contained, and a good deal more, were printed and distributed at the end of 1873, about the same time as the publication of the fourth volume of the English census, containing such information as appeared in our second volume. At the same time he had taken care to impress upon the gentlemen who were more immediately charged with the duty of carrying out this Act, the expediency of publishing, as rapidly as possible, the information obtained, and he had no doubt that every exertion would be made in that direction. With reference to the suggestion of his hon. friend, (Mr. Christie), he proposed to substitute "shall" for "may" in the 28th section, which would have the effect of making it imperative on the Minister of Agriculture to submit to the Governor in Council rules and forms for the purpose of collecting those statistics and publishing them. The next clause, relating to the appointment of officers, might well be left unchanged. He had prepared a new clause which he would submit to the committee, providing for the publication in the *Canada Gazette* of the rules and regulations framed by the Minister of Agriculture, as soon as they were assented to by the Governor in Council. That would meet the whole case. It would make it the duty of the Minister to go on with the collection of statistics as soon as possible, and to publish them when satisfied of their authenticity and value. It was not desirable that he should be obliged to publish them sooner, because the publication of incorrect returns would destroy the public confidence in them. He moved that the 28th clause be amended by striking out "may" and substituting for it "shall."

Hon. Mr. BUREAU did not object to the amendments which had been proposed, but he wished to make a few remarks which, though not strictly in accordance with the Bill, might be useful. To have a census correctly and impartially made, a different system from the one proposed should be adopted. It should be some thing like the English system, which was the only means by which satisfactory results could be obtained. In the several provinces of the Dominion we have municipal authorities—county councils, township councils, school commissioners or trustees, etc., all excellent organizations, possessing nearly all the information required for the census. Now, without

going into details, he would simply suggest that the Government should avail themselves of these local organizations and entrust them with the duty of collecting the required information. They possessed the valuation of property on which municipal taxation was based, and other statistics, which were more likely to be correct than the returns that might be made by enumerators specially appointed by the Government. Besides these municipal organizations, there were in all the parishes clergymen of different churches who from time to time took a census for the information of their respective denominations. By availing themselves of such information, the Government could obtain a perfectly correct census. Of course they would lose patronage, but, in his opinion, the possession of patronage was a decided disadvantage to any administration. He believed that the returns could be procured from each municipality by an expenditure not exceeding $25 or $30, the Government of course, furnishing printed forms to ensure uniformity, and supervising the work. But even though this system should involve a larger expenditure than the one proposed in this Bill, (he was sure it would be very much less), it would yield better results. In fact, we could never have a proper census until it was adopted. The last census was incorrect in several respects, because many persons, when asked by the enumerators for facts concerning the amount of their crops, etc., fearing that the object was to increase their taxes, furnished false information. The House would be surprised if they knew how many intelligent and well-educated people there were who labored under this delusion, and deceived the enumerators in consequence. This would be obviated by adopting the system which he suggested, and which was similar to the one that prevailed in England.

Hon. Mr. GIRARD thought the Bill, as submitted to the House, did not give to the North-West the consideration to which that part of the Dominion was entitled. It was very sparsely settled, and he knew that the enumeration there would be made with the greatest difficulty, as a large portion of the population were nomadic in their habits. It seemed to him that some provision should also be made to obtain statistics of the buffalo hunting and fur trade of that region, which contributed considerably to the wealth of the Dominion.

Hon. Mr. CAMPBELL said, with reference to the suggestion that had been made by his hon. friend, (Mr. Bureau), the various organizations existing, particularly in Lower Canada, would, no doubt, be utilized in getting those returns. Provision was made in the 30th section of the Bill for using any existing machinery, whether provincial or municipal, or any established system for the procuring of such vital, agricultural, commercial, criminal and other statistics. He could not say in advance how far those organizations or means could be utilized, but he thought in many respects vital statistics could be obtained accurately in Quebec through the mediums suggested by his hon. friend, and his suggestions would, no doubt, be adopted in that direction. With reference to the suggestion of his hon. friend from Manitoba, he did not see how any provision could be made in a bill of this kind for obtaining returns as to buffalo hunting. He admitted it was a very important item in the trade of the North-West, but if a return of that kind was to be procured, it would have to be done by some special machinery, either through agents specially appointed, through the governments of Manitoba and the North-West Territories, or through officers of the Department of Interior. He had no doubt such information would be very desirable because, as the supply of buffalo decreased, the danger of troubles with the Indians would increase, and it would be important to ascertain the extent of this means of subsistence for the tribes in the North-West.

Hon. Mr. PENNY desired to call attention again to the fact that the complicated nature of the schedules distributed at the taking of the last census prevented a speedy and accurate enumeration. As the amendments suggested by his hon. friend from the Erie division had been accepted by the Government, by which a bureau of statistics would be established, it would be advisable to separate the vital from other statistics, as was done in England, where this plan worked well It would be very difficult, if not impossible, to have complicated schedules of

two hundred odd columns, such as were distributed at the last census, filled up accurately where the enumeration had to be taken in one day. He belived that the hon. gentlemen who presided over the Department of Agriculture, at that time, and who was now a judge,—a very able and zealous man,—possessed a faculty for hair splitting, and it was that peculiarity which had induced him to adopt a greater number of columns than was necessary. But even the columns that were customary he considered were in excess of what was required.

Hon. Mr. CAMPBELL agreed with his hon. friend, that greater simplicity in the schedules was desirable. In all probability the new feature of obtaining commercial, agricultural, and criminal statistics, in another way, would make the mere census returns a more simple matter.

Hon. Mr. MILLER said he presumed that the distribution of schedules as suggested yesterday, although not made compulsory in the bill, was intended to be adopted in this census.

Hon. Mr. CAMPBELL—Yes, but it cannot be made universal.

The clause was agreed to.

Clauses 23 and 24 were stricken out.

Hon. Mr. CAMPBELL moved that the following new clause be adopted as clause 28½ :

It shall be the duty of the Minister of Agriculture, when, and so soon as the said Rules, Regulations and Forms have been assented to and published in the Canada Gazette, as prescribed in section twenty-eight of the Act, and the arrangements contemplated by the thirtieth section of the Act have been consummated, to proceed to collect the said vital, agricultural, commercial, criminal and other statistics in such way and manner as may be found most practicable, and thereafter, when and so often as it may seem to the said Minister that the statistics collected are of sufficient value and authenticity to render their publication advantageous, to cause the same to be published in such form and mode as the Governor General in Council may prescribe.

The clause was adopted.

The Committee then rose and reported the Bill with amendments.

Hon. Mr. CAMPBELL moved that the report be taken into consideration to-morrow.

The motion was agreed to.

The House adjourned at 4.05 p. m.

THE SENATE.

Friday, March 21st, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE CAMPBELL DIVORCE CASE.

THE PETITION PRESENTED.

Hon. Mr. REESOR moved :—

That the 82nd and 83rd Rules of this House be dispensed with in so far as they relate to the petition of Eliza Maria Campbell, wife of Robert Campbell, of Whitby, in the Province of Ontario ; praying "for leave to proceed *in* "*forma pauperis* in the matter of her petition "for relief, and in the further prosecution of "her case before Parliament, and that any rules "which may prevent such a modé of procedure "may be suspended in her case," as recommended in the seventh report of the Committee on Standing Orders and Private Bills.

He apprehended that by the adoption of the report, the rules would be suspended so far as the petition of Mrs. Campbell was concerned.

Hon. Mr. CAMPBELL suggested that the hon. gentleman should move the adoption of the report first; and then move that the rules be suspended in accordance with the recommendation of the report.

Hon. Mr. MILLER said that the hon. gentleman could not amend the motion of which he had given notice, without the consent of the House, and if he merely moved the adoption of the report of the Committee, it would be necessary to give fresh notice before he could move for the suspension of the rules.

Hon. Mr. REESOR explained that he had drawn up his notice for the suspension of the rules at the suggestion of the hon. leader of the House.

Hon. Mr. MILLER—The rules to be suspended are not named in the motion.

Hon. Mr. REESOR said that the matter had been before the House for a week or ten days, and it was hardly desirable that further difficulties should be thrown in the way of the petitioner, as the Committee had reported in favor of suspending the rules on her behalf.

Hon. Mr. DICKEY hoped that the hon. gentleman would accept the suggestion of the leader of the Government, and put the motion for the adoption of the report first. He could then move for the suspension of the 82nd and 83rd rules.

Hon. Mr. MILLER thought that the motion ought simply to be the adoption of the report of the Committee.

Hon. Mr. CAMPBELL said that it required also the motion that such a rule should be suspended.

Hon. Mr. BOTSFORD thought that the adoption of the report would be sufficient to enforce the recommendation of the Committee; but the practice was that a motion should be made in cases where the suspension of any particular rule of the House was recommended by the Committee, stating that certain rules of the House were to be suspended.

Hon. Mr. POWER desired to say, before the motion was put, that he thought this was a very dangerous precedent to establish. If they allowed Mrs. Campbell to come in and apply for a qualified bill of divorce, without paying the usual fees, they would probably have a great many applications for bills of a similar kind in the future. He thought that there was no reason for suspending the rules in this case, because the House was aware that Mrs. Campbell had previously brought her case before courts in Ontario having jurisdiction over such matters. It had first been before the Vice-Chancellor's Court, and then before the Court of Appeals, where the relief Mrs. Campbell sought for here had been refused. He thought it was an exceedingly improper thing for the Legislature to constitute itself a court of appeal in cases of this kind, when a remedy could be had before the ordinary tribunals of the country, especially where a case had already been before these tribunals, and the relief asked for had been refused.

Hon. Mr. DICKEY said that the House was not discussing the merits of the Bill.

Hon. Mr. POWER was aware of that, but they were discussing whether it was desirable to grant this woman permission to prosecute her petition *in forma pauperis* before this Parliament. The hon. gentleman would observe that reference had been made in the petitions presented to the House, and in the declarations read before the Committee of the House in order to substantiate this petition, to former proceedings held in the Senate on behalf of the petitioner and her husband. In the minutes of the House, it was recorded that proceedings had been taken before the courts of justice in Ontario, where her case had been dismissed. Knowing these facts, it was the duty of the House to consider well whether they should allow this woman to prosecute her case again *in forma pauperis*. It would involve not only the remission of the fee of $200, but a large expense in printing and summoning witnesses, which would have to be paid by the country.

Hon. Mr. KAULBACH was very much of the same opinion as his hon. friend, but he thought this discussion was premature, as they did not know what the nature of the petition was as yet. It was a very novel proceeding, and it appeared to him that the Government should undertake to decide whether it should proceed or not.

Hon. Mr. TRUDEL contended that this report should not be adopted, as he believed that the legislation sought for was not within the purview of this House. The British North America Act reserved for this House the right to legislate on matters of marriage and divorce. The question was, "did the legislation asked

for by this petition fall under the operation of the 26th sub-section of the 91st clause of that Act?" The intention of the authors of the Resolutions of Quebec, when the scheme upon which the British North America Act was framed, was adopted, was to reserve, and to this Legislature only, the questions of marriage that related to the dissolution of the marriage tie. On referring to the Confederation Debates, he found that the resolution was worded as follows:

"The word 'marriage' has been placed in the draft of the proposed constitution to invest the Federal Parliament with the right of declaring what marriages shall be allowed and admitted to be valid throughout the whole extent of the Confederacy, without, however, interfering, in any particular, with the usages or rights of religious creeds to which the contracting parties may belong."

By this it would be seen that the validity of marriages, or the dissolution of the marriage tie, were the only questions that came within the jurisdiction of this House. The petition before the House asked that the petitioner might be allowed to proceed *in forma pauperis*, not for a bill of divorce, but for a separation from bed and board. This, in his opinion, was only a matter of civil rights, and came under the 92nd section of the British North America Act, which defined the exclusive powers of provincial legislatures. The 14th sub-section included amongst those subjects,

"The administration of justice in the province, including the constitution, maintenance, and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts."

No one could pretend that the matter now before the House was not purely one of civil rights. The marriage tie was not in question. The House would remember that a bill for the divorce of Mrs. Campbell from her husband had been rejected by Parliament, and, consequently, this was not a question of the dissolution of the bond of matrimony. It was an undoubted fact that the relations between husband and wife, and the obligation of the husband to provide for the maintenance of his wife and children, were purely questions of civil right, and, consequently, all legislation fell clearly within the power of the local legislatures. This being the case, he held that the suspension of the rules asked for did not apply to the present instance. The 82nd rule provided for the printing of a divorce bill, and the 83rd rule provided for the deposit of a certain sum of money—$200—to cover the expenses which might be incurred by the Senate during the progress of the Bill. If this Bill were only a measure to settle a difficulty between a husband and wife, and to impose upon the husband a civil obligation to pay her a certain sum for her maintenance, it was not a divorce bill. Some hon. gentlemen had contended that there were two kinds of divorce. They would, no doubt, find in some of the law books that a separation from bed and board was sometimes called a divorce, but the question was, what was the intention of the Legislature when they framed the section relating to marriage and divorce within the purview of the Federal Parliament? Hon. gentlemen would recollect the reason why that authority was given to this Legislature. It was considered, at the time, as being necessary for the protection of the Protestant minority in the Province of Quebec; it was considered that there was a feeling existing—and which still existed—amongst the majority of the people of Quebec, against granting divorces, and it was feared, on behalf of those whose religious belief was not opposed to divorce, that if such matters should be left to the provincial legislatures, the minority would be deprived of their right to obtain divorce, when, in their opinion, the circumstances required it. He would appeal to those hon. gentlemen who were members of the Legislature at that time, if this was not the only reason why the questions of marriage and divorce were assigned to the Federal Parliament? It could not have been the question which was now before them—separation from bed and board—because, in the Province of Quebec, they had legislation on such matters, and all who wished for such a separation, no matter what their religious belief might be, could go before the courts there and obtain it, and the wife conld sue for alimony. It was evident from this, that the Federal Parliament could only legislate on matters relating to the dissolution of the marriage tie. If this House were to encourage such legislation as was now sought

for, no one could say where it would end. He had the greatest sympathy for Mrs. Campbell. He thought that she had been ill-treated, and, so far as he was informed, she seemed to have good grounds to ask for this separation from her husband, but the fact of this woman being worthy of their sympathy was no reason why they should infringe upon their own constitution or the rights of the local legislatures. He did not see why the report of the Committee should be adopted, because it would be admitting to a certain extent that this person had the right to come before this House, and ask for such legislation.

Hon. Mr. MILLER differed from his hon. friend who had just taken his seat, with respect to the constitutional aspect of this question. In the first place the British North America Act, in relation to the question of marriage and divorce, did not abolish the existing laws and usages of any portion of the Dominion at the time of the passing of that Act, although it gave absolute legislative powers to the Parliament respecting the whole subject. For instance, in Nova Scotia, they had a regularly established divorce court, and the Confederation Act did not deprive it of its functions, but left it as it was before the union. So it was in other provinces of the Dominion, where special usages or laws prevailed, or courts existed, with regard to the subject of divorce; those laws had not been interfered with by the Imperial Act. With regard to Quebec, the British North America Act had not taken from that province the right to grant such separation as the provincial laws and institutions approved of. If this petition were an application from the Province of Quebec for a judicial separation, there would be great objection to it, because the courts there provided a remedy, but this was an application from Ontario, where the local tribunals had no power whatever to interfere in respect to the subject of divorce. Therefore, it was quite competent for this Parliament to entertain an application, coming from that Province, for a separation from bed and board, as well as an application for a dissolution of the marriage tie; the one sort of divorce was as much within the scope of the Union as the other. This Legislature had full power, in connection with the question of divorces of every kind in Ontario, to pass such a bill as he, (Mr. Miller), understood the promoter of this case intended to apply for—that was, a separation from bed and board. But, on the other point—that of granting the means of support to the divorced wife out of the husband's estate—he was not so clear. He did not think that the Legislature would have the right to go beyond the mere granting of a divorce *a mensa et thoro*, but, having obtained such a bill, he considered that it would be good ground upon which the petitioner could apply to the courts for such other relief as she might require. Although he was opposed altogether to all applications for divoice, yet he believed that the promoter of this case was acting in a perfectly correct manner, and that this House would be acting in a perfectly constitutional manner in entertaining the present proposal. While he did not take the same view as the majority of this House had taken on this question last year, when it was before them, still he thought, under the circumstances, it was a pity that Mr. Campbell had not deemed it proper to make some suitable provision for this woman that would prevent the necessity of her coming again before the Legislature in the manner she was now obliged to do. He believed that a majority of the House was in favor of her application, and whatever his own views might be on the general question, he did not intend to offer any factious opposition to the measure.

Hon. Mr. PENNY entirely sympathized with the expression of opinion from his hon. friend from DeSalaberry, (Mr. Trudel.) The Federal Act applied to all provinces alike, without distinction. If they could legislate on this subject on an application from Ontario, by the same rule they could deal with a similar application from any other province in the Dominion, and he feared that a great deal of inconvenience would arise if the precedent were established. For instance, some one from Quebec might send in a similar petition, and then there would be a conflict between this House and the Courts of Quebec. He desired to state this at the outset, in order to prevent any misunderstanding afterwards; and, he

would add, he had believed throughout that this application was entirely unfounded. He took ground against it on all points, and he thought that when the subject would come up, although it would be a very disagreeable matter to debate, it would have to be treated in a way that would not be pleasant.

Hon. Mr. DICKEY said it appeared to him that the hon. gentleman was under a misapprehension as to the practical working of this power given under the British North America Act. They all knew that in a great many things the power might exist to do a thing, but, at the same time, not the right to do it. He had, on more than one occasion, expressed the opinion that if any application were made to this House from Quebec for a divorce, *a mensa et thoro*, he would oppose it, because there were tribunals there to try such questions, though he would not, for one moment, question the power given to this Legislature by the British North America Act in that direction. In the same way, he would oppose an application from Nova Scotia for a divorce, because there was a court there appointed for that purpose. That was the rule, and not a single instance could be pointed out where there had been an interference by this Legislature with the courts of Quebec or Nova Scotia, in matters of divorce. But this was an application from Ontario, where there was no tribunal empowered to give this woman relief, and he thought that it was the duty of this House to consider her application, and say whether, in their opinion, she was entitled to relief or not. The Private Bills Committee had looked into the question, and carefully considered it ; and he was certainly disposed to support the recommendation of that Committee. He held that this House had not been called upon, and he hoped that it should never be called upon, to grant relief in any case of this kind, however bad it might be, where there was power within the Province to grant the desired relief.

Hon. Mr. MILLER wished to call the attention of his hon. friend from Alma (Mr. Penny), to the fact that on the question of marriage and divorce, they had had no legislation since Confederation, therefore, the laws that existed in the different provinces at the time of the union, remained in full force, and would so remain until they were repealed, abolished, or altered by the Parliament of Canada. In Quebec, Nova Scotia, and New Brunswick, the means were provided to obtain such a divorce as was sought for in this case.

Hon. Mr. HAVILAND—And in Prince Edward Island also.

Hon. Mr. MILLER said that there were courts in Nova Scotia having control over the whole question of divorce, but in Ontario there was no such tribunal; therefore, the whole subject, so far as that Province was concerned, was within the jurisdiction and cognizance of this Parliament. He thought the suggestion which he had thrown out before was worthy the attention of the hon. gentleman who had this matter in charge. He believed that the House would grant a divorce from bed and board, leaving it to the Courts of Ontario to say what support, if any, the wife should receive. He was strongly of the opinion that with a Bill of this kind now sought for, which would be a good foundation for an application to the courts for relief in the way of alimony, they would be obliged to do something that would compel the husband to grant adequate support to this woman. Further than that, the House should not be asked to go.

Hon. Mr. KAULBACH considered that the Courts of Ontario had full power to grant all that this woman was now petitioning for, alimony, and also maintenance for, and control of, her children. The Courts having the power to grant this relief, and having refused it on the defence of her husband, that she had been guilty of adultery, it seemed strange that she should have applied to Parliament for this Bill. The courts of Ontario might not have the power to go as far as the prayer of this petition, but it appeared to him to be merely a subterfuge on her part to get over this charge of adultery, for which she had been condemned in the Court of Chancery.

Hon. Mr. REESOR called attention to the fact that this whole question had come

before the Court of Chancery in 1878. Application was made by the husband, Robert Campbell, to the Chancellor, for power to convey certain real estate, and to get an order from the Court to bar the dower of his wife, so that it would be free from incumbrance. There was a statute of Ontario which enabled a man, where his wife had been proved guilty of adultery, to bar her dower in making conveyance of his property. In this case the Chancellor had ruled as follows :—

"My conclusion is that there is no legal evidence of the fact of adultery by the wife, and in the absence of such proof, it is not made to appear that she has been living apart from her husband under the circumstances to which the Statute would apply."

That was the opinion of Cha cellor Spragge. In regard to the powers held by the Dominion Parliament, he had spoken in this way :

"By the British North America Act exclusive legislative authority is conferred upon the Parliament of Canada in, among other things, marriage and divorce. While among the exclusive powers conferred upon provincial legislatures, is the solemnization of marriage in a Province."

He also remarked :

"Proceedings are now pending before the Dominion Parliament, and while they are so, it would be unseemly, and, I think, improper to make such an order as is prayed for by the petitioner."

It would be seen that not only had th s Parliament recognized, when the bill was brought in two years ago and passed it through this House (although subsequently rejected in the Commons on a technicality) but the Chancellor also had decided, after having all the records of the different courts before him, that the woman had not been proved guilty of adultery.

Hon. Mr. CORNWALL asked if the whole of the evidence in the case had been brought before the Chancellor on the occasion referred to.

Hon. Mr. REESOR said that the records of the previous decisions of the courts were all before the Chancellor last summer, and he, (Mr. Reesor), quoted from the record of the proceedings of the Court of Chancery in Ontario.

Hon. Mr. Reesor.

Hon. Mr. PENNY asked why it was that the Vice-Chancellor had refused alimony, on the application of the wife, if he thought this woman had not been guilty of something improper ?

Hon. Mr. REESOR considered that in view of the Chancellor's decision, there was sufficient ground for the suspension of the rules in this case, on the recommendation of the Committee ; then, after the introduction of the Bill, the question could be discussed upon its merits. With regard to the suggestion of his hon. friend from Arichat, if it were adopted, this trouble would arise—if this House passed a bill granting a divorce *a mensa et thoro*, it would still leave a difficult task for the woman to perform, that was, to obtain alimony through the courts in Ontario, because a doubt would arise as to whether the courts could grant alimony under this Bill, unless they were authorized to do so. If the argument of his hon. friend from DeSalaberry were correct, that this Parliament could not grant alimony itself, it followed that it could not authorize the courts to do so. This would involve a great deal of difficulty and delay on the part of the petitioner, and would practically defeat the ends of justice if she were entitled to the relief for which she had petitioned. This question involved civil rights no more than the passing of a bankruptcy law, or a measure relating to copyright, both of which involved the payment of money under certain circumstances.

Hon. Mr. KAULBACH said that the Chancery reports in the case of Campbell vs. Campbell, where the present petitioner was plaintiff, suing for alimony, showed that the husband's ground of defence was that the plaintiff had been guilty of adultery. In the summary of the weight of evidence, the report stated :

"The evidence of the actual commission of the crime was distinct and positive by the brother and brother-in-law of the husband, who had watched on the outside of the house where the plaintiff resided with her husband, on the night that the alleged act of adultery was said to have been committed. These two witnesses also proved that the language used by the parties was of an obscene and offensive character ; and there was the fact that letters of an objectionable nature had been discovered as passing between the plaintiff and a

young man against whom the husband had warned his wife, and had forbidden her to associate with."

Further on in the report the Vice-Chancellor had stated:

"I am unable to conclude that I am justified in disbelieving the story told by James Campbell and Anderson, and disbelieving so, I am obliged to find that the case of strong suspicion presented by all the circumstances to which I have previously alluded, receives, in the testimony of these witnesses, the confirmation necessary to enable me to say that the fact is proved against the wife."

Independent of that they knew very well that the husband had brought a suit against the young man Gordon for seduction, and had him fined in a large sum, yet, in the face of this evidence, his hon. friend had contended that there was no proof of her guilt. The hon. gentleman was imposing too much on the credulity of the House in making such a statement.

Hon. Mr. HAVILAND believed this whole debate was out of order. They were not called upon at this stage to try the merits of the question, but simply to decide whether the woman should be required to pay into the hands of the Clerk the usual fee of $200, or whether she should be allowed to proceed *in forma pauperis.*

Hon. Mr. TRUDEL contended that the question was, whether this was a petition for a bill of divorce or not. If it was a bill of divorce then the 83rd Rule applied, and the deposit would be required. If, on the contrary, it was not a bill of divorce, the Rule did not apply, and for that reason the motion should not be allowed to pass.

The motion was then put and was declared to be carried on a division.

Hon. Mr. REESOR then presented a petition from Eliza Maria Campbell, praying for the passing of a Bill similar to that passed by the Senate in 1877, providing for her separation, as to bed and board, from her husband Robert Campbell, and that she may be allowed to prosecute the said Bill *in forma pauperis.* He moved that the petition be read presently.

Hon. Mr. POWER called attention to the 74th rule which requires that when any proceedings in any courts of law have taken place prior to the petition, an exemplification of such proceedings to final judgement, duly certified, is to be presented to the Senate on the reading of the petition. He wished to know whether this rule had been complied with.

Hon. Mr. REESOR said that it had not. His object in asking for the reading of the petition now was to prevent the cruel delay that was keeping Mrs. Campbell here week after week in suspense, and the risk of having the Bill thrown over until next session.

Hon. Mr. KAULBACH considered she had had justice already, and she was now asking for more than justice. He objected to the petition being now read, and thought that his hon. friend from Halifax had advanced a good reason why they should not depart from the rule in this case.

Hon. Mr. CORNWALL objected to the reading of the petition on the same ground. He would have objected to the last motion also had he not considered that the discussion at that stage was premature. Then, as he understood it, there was only one petition before the House praying to be allowed to petition to proceed *in forma pauperis.* Now they had before them the petition itself, asking for alimony, and he might as well state that he should object to every stage of the proceedings in this matter, so far as it lay in his power to do so.

Mr. SPEAKER referred the House to the 14th rule, which required one intermediate day's notice, in writing, to be given of all motions deemed special.

The petition was ordered to lie on the table.

THE PEMBINA BRANCH RAILWAY.

STOPPAGE OF TRAFFIC—INQUIRY.

Hon. Mr. SUTHERLAND enquired:

Whether the Government have correct information of the cause or causes of the stoppage of mails and traffic on the Pembina Branch Rail-

way; and if so, what steps have been taken by them towards restoring communication with the Eastern Railways?

He said—Since putting this motion on the paper, I have learned that the information which I received on the subject is correct, and that the running of trains upon the Pembina Branch Railroad has been stopped. I hope that the Government can throw some light upon the question.

Hon. Mr. AIKINS—I have to inform my hon. friend that a difficulty has occurred between the Manager of the St. Paul & Pacific Railway and the contractor for the Pembina Branch Railway. As the House is well aware, the road from Pembina to Winnipeg has not yet been handed over to the Government, and, in fact, the contractor can hold it until next fall. The Government has put itself in communication with the contractor, and also with the Manager of the St. Paul and Pacific Railway, and I hope that arrangements may be made by which the mails will be carried, and ordinary traffic resumed on that road in a very few days.

IMMIGRATION AND COLONIZATION.

MOTION FOR A COMMITTEE.

Hon. Mr. ALEXANDER moved:

That a Select Committee, composed of the Hon. Messrs. Botsford, Cornwall, DeBoucherville, Dickey, Girard, Haythorne, McLean, (Londonderry), Read, Ryan, and the mover, be appointed to consider the question of Immigration and Colonization, and the best means available for attracting to this Dominiom men of enterprise and capital, through whose efforts our manufacturing industries may be fostered and extended.

Hon. Mr. ALEXANDER—In asking the House to grant a Committee "to consider the question of immigration and the best means for attracting to this Dominion men of enterprise and capital, through whose efforts our manufacturing industries may be fostered and now extended," I could wish that the duty of opening the discussion of this question had devolved upon one possessing greater ability and parliamentary experience than myself. At this critical moment in the onward progress of the Dominion it is, of all others, the most important which could occupy the attention of Parliament. Before showing the good which might be accomplished by such a Committee, the House will permit me to take a cursory glance at the position and circumstances, which loudly call for some united action and effort in this direction. As is well known, two classes of politicians, have for some time divided the people of the Dominion, advocating directly opposite principles of trade. One class have with marked fixity of purpose, declared for free trade, as far as our public obligations would permit, even in the face of all the restrictions imposed upon our trade by the neighboring country. The other class have advocated the careful protecting and fostering of all our domestic industries and trade, by a wise adjustment of the tariff. Now, we all know, that the first class, referred to, controlled the last Parliament of the Dominion. They assumed the reins of power in 1873 with an enormous majority at their back, and therefore they were in a strong and independent position to carry out a just and wise administration. I freely confess that I am of the number who hold that their trade policy had been a fatal one. They, of course, are not chargeable, with the adverse state of trade which became manifest about the time of their advent to power, but the manner in which they shaped, and gave direction to, the industry of the country, permitting the Americans to sweep our domestic and foreign trade, could not but prove fatal. Their utterances upon every public occasion went to palsy the hand of enterpise, and could not but darken the cloud which overshadowed us, until our horizon reflected more and more, visions of diminished commerce, want of employment, numerous insolvencies, impoverished banks, and diminished wealth. The whole atmosphere of our commercial centres became overcast. It is true, we cannot arraign the bounty of Providence during that period. The soil has yielded its accustomed fruits, and there has been abundance of food. But we all know that distress for want of food, is not the keenest distress—that the most poignant of all misery is pecuniary loss, and ruin, and how much was such distress intensified by the miserable utterances of trading politicians, who cared not for the distress, as

long as they drew their salaries. Before the last general election, our position might be likened to that of a vessel nearing the outward circles or currents of a well known Maelstrom. We felt as if we were suffered to be overshadowed by the cloud of the neighboring republic—deprived of the sun's rays. Or to use another apposite illustration, we were assuming the abject position of a satellite, in danger of being absorbed into the body of a larger planet. I cannot but express my own opinion that we have cause for profound gratitude to Divine Providence, that men were found in our midst equal to the emergency. We have now a skilled pilot at the helm. He has manned the vessel with able seamen. The ship has tacked successfully, and is already making off the shore, but the circumstances of our position demand that our Parliament, our people, and that mighty engine of power, the Press, will at this moment show, that they are imbued with a patriotic spirit to give the new policy a trial. The Press is a weapon for good or for evil. It may build up or destroy. It would surely be pitiable to see leading organs at such a moment as this laboring for mere party victory, to influence the public mind against that which is wise and good, and mislead the poor and unenlightened, to the injury of the interests of all classes—throwing every obstacle and barrier in the way of our raising the country again to a safe and independent position. The new policy, after it has received the consideration of Parliament, must become a success, but time must elapse to develop the results. Temporary personal sacrifices must be submitted to, if we believe that it is only for a time, and that the general good of the commonwealth must follow. We hope, then, at no distant day, to see most of our workshops which have been closed re-opened—that all complaints of the want of employment may cease, and that our country will again resound with the hum of busy industry. But the tariff is framed for a much wider expansion, and development, than that to which we have hitherto attained. I cannot but express my acquiescence in the broad views which have inspired that tariff. With the knowledge that we possess coal and iron, in not very distant proximity, in two different sections of the Dominion, the Minister of Finance assumes that we may now make a bold effort to introduce every branch of manufactures in iron,—that we may look to the introduction of large smelting furnances, to the manufacture of bar iron, iron and steel rails, all our locomotive engines, car wheels, boilers, and every description of hardware. Then again he contemplates that we may hope to manufacture for the use of our own people, all our common calicos, cottons, stone, and glassware, clocks, watches and electro-plate, some of the finer woollens, and a multitude of other such wares, as we have not hitherto attempted. Now, hon. gentlemen, to insure the successful introduction of these manufactures, it will be necessary to put forth unusual and extraordinary efforts to induce British capitalists of manufacturing enterprise to transplant some of their work shops to this rising country. And it is to consider how we can best accomplish this, that I have humbly come to you, to grant me a committee. I am sure that the Senate will labour with all their might, to aid the executive Government to secure such a blessing and boon to this rising country. Why might we not hope at no very distant day to see successful iron works at such trade centres as Halifax or St. John, at Quebec, Montreal, Toronto or Hamilton, or even in Victoria, with coal and iron in close proximity, and all our own unsurpassed facilities of navigation? In order that the tariff should not long remain burdensome and oppressive to our people, we should at once make vigorous efforts to approach, by able and and accredited delegates, such British capitalists, and show them the wide field for their enterprise, which this Dominion now presents to them. I would ask this honorable House, by what means were the millions of German and British emigrants drawn to the Western States of the neighboring Republic? By what means, were the millions of British capital obtained for the construction of American railways, but through active and accredited agents? And, with such a fair prospect of success as our Dominion now presents, for British manufacturing enterprise and capital, if wisely and sagaciously employed, we may approach the consideration of this subject, with the most sanguine hopes of restoring to our country such a measure

of prosperity, as will satisfy all classes of our people.

Hon. Mr. McLELAN moved the adjournment of the debate.

Hon. Mr. MILLER hoped that the hon. gentleman from Woodstock, would be in a position to inform the House what the possible expenses of this committee, if it were granted, would be. He contended that if the committee was to be of any value, power should be given it to examine witnesses, and to obtain information. He confessed that he was rather surprised, considering the depressed condition of the finances, that the hon. gentleman had not thought it worth his while to convey to thé House some idea of the probable cost of the Committee.

Hon. Mr. ALEXANDER thought that they had on the floor of this Parliament, gentlemen just as competent as any that could be summoned before a Committee to set forth their views on the subject to be enquired into, and they might not incur any expense at all. They had men amongst them of large experience in banking, commerce, manufactures and agriculture ; but, if at any time they considered it desirable to go outside of Parliament for further evidence, they could ask for power to do so.

Mr. McLelan's motion was agreed to.

The House adjourned at 5 p.m.

THE SENATE.

Wednesday, March 26th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

DOMINION DAY.

MOTION TO INTRODUCE A BILL.

Hon. Dr. CARRALL asked for leave to introduce a Bill to make Dominion Day a public holiday.

Hon. Mr. MILLER asked whether it was the intention of the Government to sanction such a Bill. Some years ago the matter had been brought before the House, when it was considered advisable that such a measure should not pass.

Hon. Mr. CAMPBELL said that he had not heard of this Bill until the hon. Senator from British Columbia had brought it before the notice of the House. He could not say what course the Government would take, but he rather apprehended that the same view which they had taken when the subject was under discussion before would be taken now.

Hon. Dr. CARRALL said that he would be willing to withdraw the Bill, if it did not meet the wishes of the Government.

BILLS INTRODUCED.

Bill (H) "An Act to make the first day of July a public holiday, by the name of Dominion Day." (Hon. Dr. Carrall.)

The Bill was read the first time.

Bill (I) "An Act to explain and amend the Act respecting the appropriation of certain Dominion lands in Manitoba."

The Bill was read the first time.

CANADIAN BUILT SHIPS IN FRENCH PORTS.

MOTION FOR A RETURN.

Hon. Mr. BUREAU moved :

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to lay before this House, copies of all correspondence since the 28th February, 1878, between the Government of Canada, and any party in Canada, or elsewhere, and also between the Government of Canada and the Imperial Government, about the admission of Canadian built ships into French ports at the same rate and on the same conditions as ships from Great Britain and Ireland are admitted in said ports, or on such other conditions as may be herein mentioned.

Hon. Mr. CAMPBELL—When the hon. Senator referred to this subject on a former occasion, I said that I thought there was no correspondence which could

be brought down with advantage to the public service. That is still the position in which the correspondence is, but if the hon. gentleman will allow it to be understood that the papers will not be brought down until it can be done without disadvantage to the public service, I have no objection to the address going.

Hon. Mr. BUREAU—Certainly; I assent to these conditions.

The motion was agreed to.

EXTRA CLERKS AND MESSENGERS.

MOTION FOR A RETURN.

Hon. Mr. MACPHERSON moved :—

That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will cause to be laid before this House a statement containing the following information :—

The names and dates of appointment of all extra clerks and messengers employed in the service of each Department of the Public Service on the 10th day of October last ; the mode of their appointment, whether by Order in Council or otherwise ; the rates of salary or wages paid to each, and the instances, if any, in which their pay or allowances had been increased, and if so increased, when and by what authority ; the appropriations or moneys out of which they were paid ; and also, the names of all extra clerks and messengers, if any, who were transferred from temporary to permanent employment in the Departments of the Public Service between the 1st January and 10th October, 1878, and the rates of salary or wages paid to each when employed temporarily and permanently, respectively.

He said : I presume that there will be no objection to this motion, and I think that a debate upon it will come up more properly when the papers are before the House.

Hon. Mr. SCOTT—Perhaps the hon. gentleman will allow me to add "together with the names of all those whose services have been dispensed with since the 10th day of October last, and the names of all those who may have been appointed since that date."

Hon. Mr. MACPHERSON—I have no objection to the information being brought down, but I should rather not have my resolution amended.

Hon. Mr. SCOTT—As the hon. gentleman no doubt desires to have this information for the purpose of comparison, and as the addition which I have suggested is perfectly germane to the original motion, it is customary to accept such a proposition at once.

Hon. Mr. MACPHERSON—The hon. gentleman can make a separate motion, and I have no objection to saying that I will not bring on a debate upon this question until the information which he desires is brought down.

Hon. Mr. SCOTT—I should very much prefer that the two should go together. They are on the same subject.

Hon. Mr. MACPHERSON—Hardly.

Hon. Mr. SCOTT—I think they are, and it is very essential that it one report goes to the country the other should accompany it.

Hon. Mr. MILLER—The proposition of my hon. friend, (Mr. Scott), is rather unreasonable. The hon. Senator from Toronto has asked for certain information—he wants no more. If my hon. friend wants any other information, it is open to him to seek it in the same way as the hon. Senator from Toronto. It is very unusual to ask an hon. member to alter his motion in a manner that he does not desire. The hon. gentleman can get the information he wants by an independent motion.

Hon. Mr. SCOTT—I made the suggestion because it has been quite usual in motions of this kind, not only here, but in another place, if an hon. gentleman desired additional information akin to that sought for by the mover, to add it to the motion.

Hon. Mr. CAMPBELL—There is no objection to the address going, nor to another return being furnished, such as the hon. gentleman opposite desired to have whenever he sees fit to move for it.

The motion was agreed to.

PETITION FOR PRIVATE BILLS.

THE TIME FOR RECEIVING FURTHER EXTENDED.

Hon. Mr. ALLAN said that the time for receiving petitions for Private Bills having expired, he desired to move that it be extended to the end of this week, but that it be extended no further. He moved:—

That the time limited for receiving petitions for Private Bills be extended until Friday, the 28th instant, and for presenting Private Bills to the Senate be extended to Wednesday next, the 2nd day of April.

The motion was agreed to.

THIRD READINGS.

The following Bills were read the third time and passed:—

Bill (No. 14) "An Act to reduce the Capital Stock of the Quebec Fire Assurance Company."

Bill (No. 10) "An Act to extend the powers of the Dominion Telegraph Company, and to amend the Act incorporating the said Company."

THE PARLIAMENTARY PRINTING.

SIXTH REPORT OF THE PRINTING COMMITTEE.

Hon. Mr. MACFARLANE, in the absence of Hon. Mr. Simpson, moved the adoption of the Sixth Report of the Joint Committee on Printing.

The motion was agreed to.

BANKING LAWS AMENDMENT BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of the Bill (G) "An Act to amend the Act relating to Banks and Banking, and the Acts amending the same." He said—This Bill has for its object one or two important points relating to banks. and which are likely, I think, to be of use in protecting the interests involved in banking. The first relates to the sale of shares in banks. It has been the current belief that a practice has crept in of selling shares without the person who offers them for sale being the owner of them, and even without there being such shares to be disposed of, very much in the way that people in Chicago sell corn without the grain being there, but with the intention of providing it if sold. To prevent such transactions, which are attended with danger and inconvenience to the public, and possible injury to banking interests, it is proposed that in future these sales shall only be made under the provisions of the first section of this measure, which provides that transfers of shares shall not be valid unless registered, and that no sale of shares shall be valid unless the name of the person holding such shares is set forth in the contract of sale. The second section relates to loans on stocks. At the end of six months after the passing of this Act, no new loans shall be made on bank stocks. Such loans, it has been found, have been attended with more or less danger, and it is thought by those who have paid attention to the subject that it is desirable to put a stop to the practice. It has been suggested to me since this Bill has been printed, that to terminate the practice at the end of six months is a rather cast-iron rule, and that it should be left to the end of next session, in order that Parliament may have an opportunity to fix the time when it shall take effect. It is a question which will, no doubt, occupy the attention of the House hereafter in committee, and there are many members of the Senate who can form a good opinion upon it, to whose opinions I, for one, would be inclined to defer. It seems to me better now to limit the period; if we are to legislate at all, I think the provision in the Bill is a just one. The fourth clause is to enable a bank which has impaired its capital by reason of losses to apply to the Governor in Council to reduce its stock, such reduction being authorized first by the shareholders at a meeting. This provision is a very desirable one, and may sometimes be of great advantage to banks, and afford greater safety to those interested in them. The Bill as it now stands has had the advantage of being considered by a number of gentlemen who are very well able to pronounce an accurate judgment upon it, and it has recommended itself to

their approbation, and I trust it will be equally well received by the House. I am told that some gentlemen are desirous of considering the measure carefully, and I will not ask the House to go into committee upon it until Monday next.

Hon. Mr. MILLER—Do you intend to send it to the Banking Committee?

Hon. Mr. CAMPBELL—I thought of sending it to a committee of the whole House, but it might be referred to the Banking Committee as well.

Hon. Mr. SCOTT—In addition to the proposed changes which, I think, are in the main correct and prudent, there is one other change which I notice, that is, the right of a bank to exercise a lien on the stock of parties owing the bank, in the event of a transfer of such shares. Is that a new feature?

Hon. Mr. CAMPBELL—Not a new feature, but it is somewhat enlarged.

Hon. Mr. SCOTT—My hon. friend says that it is enlarging the scope of it. I understand that in the past the bank had the power of exercising its lien over the stockholder for a past due debt. This clause seems to be somewhat at variance with the principle that it is now desired to establish under these proposed amendments,—that is, to prevent an advance upon the stock of any other bank. Under the working of this clause, the bank is enabled to make an advance upon its own stock practically.

Hon. Mr. CAMPBELL—They are prevented from doing that now.

Hon. Mr. SCOTT—This clause would enable the bank to make an advance in this way: "A" is a stockholder in a bank to the extent of $10,000. He discounts a note for $7,000. Afterwards he transfers his stock. In that case the bank could say: "We will not transfer this stock until the $7,000 is paid.

Hon. Mr. CAMPBELL—That would be the effect of it.

Hon. Mr. SCOTT—Is not that somewhat antagonistic to the principle that is sought to be established in another part of the Bill? If there ought to be no speculation in the stock of other banks, *a fortiori*, there should be no speculation on the stock of the bank itself. I simply call attention to the matter, now so that we can have a discussion upon it in Commitee.

Hon. Mr. ALEXANDER—I am sure the House will agree with me that this legislation is much required at the present time. We must all be aware that great evils have sprung up, especially in the stock exchanges of Montreal and other centres, from a species of gambling, and I believe that the main object of this Bill is to remedy these evils. The fourth clause, however, should have the serious consideration of the House. It is proposed to give a power to the Governor in Council, at the request of the shareholders expressed at a special meeting, to reduce the capital stock of a bank to carry out their desire. Although I have been on the boards of banking institutions, I have not had sufficient banking experience to lead me, to satisfy my own mind, that it would be wise to change the provisions of the present statute, which require the shareholders of a bank desiring to have their capital stock reduced, to come to Parliament to carry out their purpose as expressed at a legally constituted meeting. My own convictions are, that it would be more in the interest of the shareholders, as well as of the public, to afford the opportunity, before the committees of Parliament to any dissentient parties, to bring forward thus publicly all their objections; and, further, I am sure that the Governor in Council do not desire to have such a duty imposed upon them. But upon this point the leader of the Government in this House is the most competent to express an opinion. We all most cordially support the three first clauses of this Bill, but when it is before the committee I hope that the question of expunging the fourth clause will be well considered and discussed.

Hon. Mr. BOTSFORD—I believe there is too great an amount of banking capital in the Dominion now, and one of the causes of the depreciation of bank stocks is the competition between the banks and the facilities offered their customers in

loans and discounts. I approve of this clause, and consider the Bill of very great importance indeed. The selling of bank shares and the advancing of loans upon such shares, has led to a species of gambling which has not only injured the banks themselves, but has also damaged the interests of the shareholders. So far as I have examined this Bill, I consider its provisions would be of vast benefit to all persons interested in banks and banking. I am disposed to give every encouragement to the adoption of this remedy for the evil which has resulted so injuriously in many cases, and which has encouraged the questionable operations which have proved so detrimental to the public interests.

Hon. Mr. TRUDEL—I do not intend to oppose the second reading of this Bill, but I consider the fourth clause forms a new feature in our Legislation. I think there is some danger in allowing any bank to reduce its capital without giving the public an opportunity of having their interests represented before this Parliament—interests which may be opposed to those of the shareholders; and to leave such matters to the deliberation of the executive may be, to a certain extent, fraught with danger. I am inclined to believe that it would be more in accordance with the sound principles of legislation, and the interests of the public, to let the law stand as it is. Some instances have occurred lately, which tend to show with what care we ought to deal with such important matters. As I said before, I will not oppose the Bill now, but I think it should be carefully considered in Committee.

Hon. Mr. RYAN—I quite concur in the suggestion made by the hon. mover of the Bill, that a fixed rule of six months for the ending of advances upon the shares of banks should not be established, but that it should remain over until the termination of next session, when I presume Parliament will probably deal with the question of banking generally. I think it would be better to let the question come before the House as a whole, and that this power shall be continued to the banks until the end of the next session of Parliament. With regard to the provision relating to fictitious transfers of shares, and the questionable practices which have obtained hitherto, I believe it is in a right direction, for there is a great deal to find fault with in the way in which transfers have been managed, and fictitious values given to stocks. Bank shares have been tossed up and down in the market, at the mercy of certain operators, who make this their regular business, but at the same time, I must say that I have not full confidence that the clauses of this Bill, or any other legal enactment, will be quite effectual in putting a stop to speculation and abrupt changes in the values of stocks. I also think it is going too far, even if persons should be convicted of practices contrary to the enactments of this Bill, to make their offence a misdemeanor. I believe it is almost unprecedented in such cases and exceedingly severe to subject the delinquent to the penalties of a misdemeanor. The English law merely imposes a fine, and if we were to make the money penalty a very heavy one it would be, I think, sufficient to deter people from engaging in such transactions, and that there is no need of going so far as declaring the offence a misdemeanor. With regard to the fourth clause which has been commented upon, I agree with my hon. friend behind me, (Mr. Alexander), that it would be better to leave the law as it stands — that when the banks seek a reduction of their capital as it will be judicious for some of them to do, they should come to Parliament for the needful legislation. I have the greatest respect for the Privy Council, especially as constituted at present, but I very much fear that they will not go into an examination of the details of a bank's business in the thorough manner that they should, in order to see whether its claim for reduction of its capital stock is one that should be allowed. Last session there was an example in which a bank came before Parliament and submitted all its statements, some of which had been checked and corrected, but a different result was come to by the Legislature from that which the shareholders in the bank had previously arrived at, and circumstances have proved that the discretion of the Committees of this House and of the other branch of Parliament was more accurate than that of the parties applying for a change. I would prefer,

therefore, that the law should be allowed to stand as it is at present, and that provision should be made for application to Parliament in case a bank requires a reduction of capital. There is another important matter to which I would like to refer. I don't know whether it can be properly dealt with in this Bill or not, but it certainly requires consideration. We are making a law here to restrict the ordinary chartered banks in certain directions. The argument in favor of such legislation is a specious one. It is, no doubt, desirable that there should not be a quantity of stock in the market, which has really never been *bona fide* paid up in cash, but is kept afloat by advances and speculation. To prevent a continuance of such evils, it is quite clear that we should not apply our measure to the ordinary chartered banks alone, but should prevent other institutions from engaging in the same thing which the banks have hitherto been engaged in. Why not bring the savings banks which advance on stock to such a large extent, under the same rule as the ordinary banks, and prevent them also from advancing on bank stocks? I have spoken to my hon. friend, (Mr. Campbell), on the subject, and I believe he is not averse to considering the question. If a provision to this effect is one which cannot be introduced into the present Bill, it is very easy to frame a measure amending the Act relating to savings banks, in such a manner as to prevent them in future from advancing on bank stocks. The fact is that savings banks, which are the custodians of the earnings and gains of the poor, should be guarded and watched with even greater care than regular banking institutions. I sincerely hope that my hon. friend will introduce a measure to that effect which will put the savings banks on the same footing, with regard to advances on stocks, as the other chartered banks.

Hon. Mr. CAMPBELL—With reference to the objection to the fourth clause, I think there is this to be said: I disagree with the remark of my hon. friend from De Salaberry that there are two interests involved in the matter; I think the interests are the same, and what subserves one subserves the other. The interests which the public have are that the banks should be sound and able to pay their debts, and this is the principle on which this clause has been framed. Whether it is a right principle is for the House to decide. It seems to me that it is much safer to allow a bank that is in difficulties to come before the Privy Council for authority to reduce its stock, without the display of its weakness that is involved in coming before Parliament for that purpose. By this means it will be able to reduce its capital in an easier, safer, quieter, and more convenient manner than it can be done in Parliament. The Privy Council would not, of course, exercise this power without due enquiry, and I have no doubt, from my knowledge of such matters, very great care would be taken in deciding upon the proper concession to be made to the bank applying under such circumstances, and the enquiry would be made as carefully, and with as much regard to the interests of the public as it could be by a committee of this House. In the case to which my hon. friend from Victoria has referred, it turns out that the decision of the committee of the other House was more correct than the opinion arrived at by the authorities of the bank, but that was an incident attributable more, perhaps, to the extraordinary condition of the country than to the judgment of the committee. It happened that the assets of the bank were not as valuable as the bank authorities had represented them to be, owing to the depreciation in values throughout the country. I do not think the proper care or the means of arriving at a sound conclusion will be wanting in the application to the Privy Council for this authority, supposing the 4th clause of this Bill should become law, and it will have the advantage, when such a change is forced upon a bank, and circumstances render it absolutely necessary, if it is in the public interest to allow that reduction to be made, it can be done with as little display as possible. With reference to the remark of my hon. friend opposite, (Mr. Scott), no doubt the clause is enlarged, but I do not think it can be possibly attended with the inconvenience he has referred to, because the banks are prevented from making advances on their own stocks, therefore this could not come into play. I do not think it is necessary to enlarge further on the Bill at present. In truth I was unwilling to say much about it, because

it seems to me desirable in a measure of this kind, if the House concur in the general provisions of it, that no lengthened discussion should take place, as it might be injurious in a way I do not desire to point out, but which may occur to every hon. gentleman in this House. Matters in reference to banks are not now in so secure and satisfactory a position as we would desire to see them, and I am sure it is not the wish of any one to say anything that might have a tendency to shake public confidence in our banking institutions. I concur in the principle contained in the remarks of my hon. friend from Victoria, that it is desirable to prevent savings banks from embarking in any speculation that would risk in any way the interests of the depositors. The merits of the proposition he has made to the House, and which I am personally disposed to concur in, I shall take an early opportunity to lay before the Minister of Finance, and I am quite sure that he and the Government will be ready to adopt any suggestions which, in our judgment, have the effect of securing the object which my hon. friend desires, and in which we entirely sympathize with him.

The Bill was read the second time.

Hon. Mr. CAMPBELL moved that the Bill be referred to a Committee of the whole House on Monday next.

The motion was agreed to.

THE CENSUS AND STATISTICS BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. CAMPBELL moved concurrence in the report of the Committee of the whole upon Bill (B) "An Act respecting Census and Statistics." He said the amendments to the Bill were in the direction suggested by his hon. friend from the Erie division, to make some of the clauses compulsory, and to introduce language making it the duty of the Minister of Agriculture to proceed under the Bill, in the first place, to issue schedules, and when these forms were issued, to proceed as rapidly as possible with the collection of agricultural, commercial, criminal and vital statistics, and when they were compiled, to proceed with the publication of such statistics when he was satisfied that they were worth publication.

The motion was agreed to.

Hon. Mr. CAMPBELL moved that the Bill be read a third time to-morrow.

The motion was agreed to.

IMMIGRATION AND COLONIZATION.

THE DEBATE CONTINUED.

The Order of the Day being read, resuming the adjourned debate on the hon. Mr. Alexander's motion—To resolve :

"That a Select Committee, composed of the hon. Messrs. DeBoucherville, Dickey, McLelan, (Londonderry), Read, Ryan, and the mover, be appointed to consider the question of Immigration and Colonization, and the best means available for attracting to this Dominion men of enterprise and capital, through whose efforts our manufacturing industries may be fostered and extended."

Hon. Mr. McLELAN said, I have no intention of prolonging the discussion upon this matter. As the hon. gentleman who introduced it showed, in a very able and eloquent manner, its importance. The Parliament of the Dominion has, at all times, been ready to acknowledge that it is one of the most important questions that can be brought before it, and upon it we have expended large sums of money. On referring to the Public Accounts for five years past, I find that $1,192,596 has been expended for bringing immigrants into this country, and I am sure that when we look at the results of that expenditure we must all agree with the hon. mover of this resolution, that it has not met public expectation; that the results of that expenditere have been very unsatisfactory. We have been year after year expending an enormous amount of money in bringing people to Canada, who, after remaining here perhaps a few months have passed over the border into the United States to build up that country. The hon. gentleman knows that the public opinion of this Dominion has declared that our whole internal policy shall be changed in order to retain in the

country our own people,and those who are brought here at so great an expense to the Dominion. If the hon. gentleman will turn to the report of the Minister of Agriculture that has been laid upon our table, he will find that during the past fifty years 1,393,000 immigrants have been brought to the single port of Quebec. Every gentleman will admit that a comparatively small per centage of these has remained in this country. The great bulk of them, with many of our own sons, have crossed the lines and have found employment and homes within the United States. Public attention was turned to this, and a remedy for the evil was sought. The proposition which most commended itself to the public mind was the one which the hon. gentleman from Woodstock time and again ably and eloquently advocated in this House—a policy of protection to home industries, the supply, in a large measure, of our own wants by our own people and those who shall make their homes within our borders.

This was the great question before the people in September last, and almost unanimously they declared that such a policy should be adopted. This House has been in accord with the people, and I desire the hon. mover of this resolution to consider whether the appointment of the committee of enquiry he asked for might not be regarded by the people as a want of confidence in that policy which the hon. gentleman has so ably advocated in this House, and which the people have so emphatically declared at the polls shall be adopted as being the best for our various industries. In obedience to the voice of the people, the Government have submitted that policy for the sanction of Parliament, and I think the hon. gentleman, after having given expression in so forcible and eloquent a manner to his views on immigration, would act wisely in withdrawing his resolution, and direct his energies to perfecting the National Policy which the people have demanded.

Hon. Mr. CORNWALL—I confess I cannot agree with the hon. gentleman who has just sat down on the line of argument he has adopted upon this important question. He says it is unwise to disturb public attention by considering such a subject in such a way. He allows that the changes made in the tariff, and the attempt to protect native industries and manufactures is to have a certain effect, and contends that at the present moment it would be unwise to go further than that in the way the hon. gentleman from Woodstock has suggested. I do not think the adoption of the resolution would have the effect the hon. gentleman supposes; I do not think it would in the least disturb the present condition of public affairs, and I should think the object of the hon. mover of this resolution would be rather to supplement the advantages that would in the future be gained from the change in the fiscal policy of the Dominion. For my part, hon. gentlemen, I consider the importance of this subject is quite sufficient to authorize any hon. member of this House to rise in his place, and for a longer or shorter period command the attention of this Chamber, if he can do so, by the matter which he brings before it. I have understood that the policy of the present Government as regards immigration is rather in the direction of discouraging it; at all events, if it is not in the direction of discouraging emigration it is in the direction of not encouraging it, for I understand that their intention is to do away with their European agents, and in no way to subsidize or encourage the immigration of people whose wish it might be to come to Canada and make it their home in the future. I do not intend at the present moment to criticise this policy, although I think a great deal might be justly said in opposition to such a line of conduct; but I rather intend to confine myself entirely to the subject matter of the motion before the House. I think that even now in England and Europe erroneous opinions exist as to Canada and its capabilities. I think that there still exists great ignorance as to our climate and resources, and although during the past few years there has been improvement in this way, I think the prevailing opinion there, even now, is that Canada is of such an inhospitable character as regards both natural and artificial resources, that it is to be avoided by all persons who are seeking an advantageous change of home. We know better than that, and we know, moreover, we can explain the ways and multiform opportunities we can offer to intending emigrants; and, so knowing, we

should be careless of our own interests and regardless of the duties of our citizenship, and of the position we occupy, if we failed to publish them to the world. One of the primary misconceptions of the people of the old world consists in the belief that Canada is cursed with so severe a winter climate as to make it an undesirable country to live in. On this point, while we may admit the rigor of the winter climate of Canada, at the same time we may dilate with truth upon the health-giving properties of that climate with its dry and invigorating clearness of atmosphere ; and at the same time we may point, with pardonable pride, to the rugged strength of the sons of Canada, and the bright and healthful beauty that distinguishes her daughters.

Hon. Gentlemen—Hear ! Hear !

Hon. Mr. CORNWALL—In connection with the misconception as to climate, there must also be great misconception as to our agricultural resources, and to remove an erroneous impression in that particular, we may very well point to the large annual increase of our agricultural exports, as a proof of the extent and capabilities of our lands. And when we clearly show that even in the older provinces of Canada but one-half of the available agricultural lands are occupied, and that the remaining half is still lying idle, only waiting the laborious industry of the settler to clear it and put it in such a condition as to adequately reward the labors of the husbandman, then we shall have gone far towards showing that there is room in Canada for a population far in excess of our present numbers. But if we leave the older provinces of Canada, and ask the immigrant to bend his steps towards the great North-west, there he will find a limitless extent of the richest and most productive and promising country—a country of which we ourselves scarcely know the boundaries, and about which all we do know is, that it promises to be quickly settled and its great wealth rapidly developed. If the immigrant is not satisfied with what he may see there, let him travel further West, and nothing shall interfere with his progress until he reaches the Pacific coast of our Dominion, and there in the Province of British Columbia—a Province which has been aptly described by our late revered Governor-General as "a glorious Province"—he may settle himself down to a life of comparative ease and comfort, and enjoy a climate which, for its balmy character, may well compare with that of France or of England, which he has left behind him. If these are all facts which we can easily lay before the inhabitants of the old world, that so far as soil and climate go, there is everything inviting to immigration ; everything that bespeaks a large population for the Dominion in the future. I think when we shall have demonstrated all this, we have done all that is necessary to induce the manufacturer and the capitalist to follow in the footsteps of the farmer and laborer. Under such conditions, it will be easy to prove that there will ever be a large and increasing market for every description of manufactures, and many and safe openings for the productive investment of capital. If, in addition to these natural capabilities, we show that the people of Canada have now arrived at a settled and long thought over determination to protect home industries and investments of capital. I think we shall have established such facts as will speedily lead to the appearance among us of the manufacturer and the capitalist we so much wish to see. Of the different manufactures we might enter into, it is not my object to speak at present. The hon. gentleman who introduced the motion said something as to a hope that he entertained of seeing in the future iron smelting furnaces in full blast both on the eastern and western shores of the Dominion.

Hon. Mr. ALEXANDER—Hear ! hear !

Hon. Mr. CORNWALL—I quite agree with my hon. friend that there is room for the establishment of such an industry as that. In British Columbia there are many openings for these and other enterprises. We have there the best of coal and iron in close proximity, lying side by side, yet we have no furnaces. There, in a country capable of producing any amount of wool, we have no woolen mills. It is a province that produces the best of barley and other cereals, and we have neither breweries nor distilleries to speak of; and, in a country where we have water

power enough to run half the machinery in the world, we have, with the exception of a few saw and grist mills, neither wheels to turn, nor machinery to agitate. All these are facts that ought to be brought, so far as in us lies, before the notice of the great world, and I take an entirely different view from my hon. friend who last spoke. I consider the mover did what was proper in bringing his motion before the House, and I shall be glad to supplement his efforts as far as I can.

Hon. Mr. KAULBACH—I do not undervalue the importance of the motion that has been brought before the House by my hon. friend from Woodstock. It may be as well, however, to wait and see what is the result of the National Policy—whether it will confer the blessing that is anticipated, before we embark in any further extensive expenditure of money to induce immigration to this country. It is evident that the policy of the Government is not at present to increase the expenditure for immigration, for I see by the Estimates for this year that the vote is $53,000 less than it was last year for that service. I cannot, therefore, see the object in having a committee this session to investigate this matter, but it may be advantageous to give expression to our views on the question on the floor of this House. My hon. friend from Woodstock has referred to the mineral wealth of the country. I think if the attention of the Government were called to the necessity for the establishment of a school of technology where those who desire it could obtain a technical and scientific training, it would save a great deal of reckless and unproductive expenditure of money in mining and manufacturing enterprises, which would, under the control and management of skilled and educated men, be of great advantage to the country. In Nova Scotia, in 1873, there were over one million tons of coal raised. In 1878 the output was reduced about one-third of that amount. In 1873 the United States took from us 300,000 tons of coal. In 1878 the United States had almost monopolized the markets of the Dominion for their coal, which should have been supplied by Nova Scotia. In 1873 there were thirty coal mines in operation in Nova Scotia; at present there are only nineteen. The logical facts show that it would be to the interest of the country to have this industry developed, and the Government, although they have not gone far enough, have shown their appreciation of the value of this industry. In 1873 the output of coal in Nova Scotia employed over 5,000 people, giving over one million days work and a monthly pay of about $122,000. The transportation of coal employed 3,400 vessels. Six men to each vessel would be 20,400 seamen employed. I contend that, instead of only one million tons, four millions of tons of Nova Scotia coal could be satisfactorily used in this country annually, in connection with the production of iron, and in manufactures. We could consume at present about 276,000 tons of pig iron annually.

Hon. Mr. HOPE—You are mistaken; our imports do not exceed 60,000 tons.

Hon. Mr. KAULBACH—My contention is that we are capable of consuming 276,000 tons of pig iron annually at present, and that that amount could be produced in Canada if our manufacturing industries were developed, and our railways were extended. It would require the labour of 20,000 men to mine the coal required for smelting it, and the smelting and handling of it would employ 12,000 men, while the transport of this amount of coal and iron through the Dominion would about double the freight of the railways and tonnage of our ports.

Hon. Mr. HOPE—How much coal would you allow for smelting 276,000 tons of iron?

Hon. Mr. KAULBACH—I have not made the estimate, but about five tons I think to one ton of iron.

Hon. Mr. McLELAN—Almost four tons of coal to the ton of iron.

Hon. Mr. KAULBACH—It would then be something over a million tons. This shows the great importance of developing our iron manufactures. The increase in the traffic over the railways would cheapen the transport of grain from the Great West, and assist in opening up a country

that is destined to become the granary of the continent. It is marvellous the amount of grain raised in the Red River district. Last year the crop amounted to three millions of bushels, and from the reports of the amount of soil prepared for this year's crop, we may expect a yield of five millions bushels for this season. I have seen it stated that there is one farm on the Red River of 3,500 acres, and the production of cereals on that farm last season was over 50,000 bushels.

Hon. Mr. CAMPBELL—That farm which the hon. gentleman speaks of is not in Manitoba, but in Dakota, and belongs to Mr. Dalrymple.

Hon. Mr. CORNWALL—There is no reason why there should not be farms of 30,000 acres instead of 3,000 acres in the North-West.

Hon. Mr. KAULBACH—It shows what a great country we have to depend upon. I am informed that our territory surpasses the Western States both in the productiveness of the soil and the quality of grain. It is a great field for immigration, and I believe before long, if the expectations of the promoters of the National Policy are fulfilled, we shall soon have a large increase of population in our North-West. Now that we have a National Policy, I believe the Government should also have considered the question of a national currency for this country. Cheap money, upon a truly national basis, is a subject which we might very well consider, although I confess I am far from having mastered the subject, I am sorry my hon. friend, who is at present in the chair, and a member of the Ministry, is not now in a position to give to this House and the country, his present views upon this matter. Under our financial system we have about six millions and a half of money lying in our banks unproductive, which, as our hon. Speaker has often explained to us on the floor of this House, represents so much of the labor of the country lying idle. It must be remembered that money at 6 per cent compounded doubles in twelve years. The present international currency of this country, is not gold. We pay our public debts, not in gold, but in Government bonds, pledged by the country, and I think my honorable friend, the Speaker, has said it matters not whether we pay in bonds or Dominion notes; it amounts to the same thing. It is only when the volume of our imports is greater than our exports, that we are obliged to settle the difference in gold, and I believe in a country like this it is a matter for grave consideration whether instead of borrowing more money abroad we should not issue more Dominion currency. We know that in Nova Scotia we built a large portion of the public works there by the issuing of Provincial notes. All paper money under $20 was issued by the Province, and in that way we built up the country. The credit of the Province was pledged for it, and it was safer than bank notes or bank stock. When our bank notes come up here new from Nova Scotia we have to pay a discount on them, which is a great inconvenience. England, for a period of 25 years, carried on her public works with paper money, which was made a legal tender. France also teaches a lesson in this respect worthy of imitation to a large extent. I think I have heard some financiers say the Government might almost build the Pacific Railway by means of Dominion notes; they could be issued as payment to the men employed on the works, and the notes would be circulated by them throughout the country. I have formulated some ideas which I have gained, to a large extent, from reading over some of the remarks of the present Speaker, on the currency question. I am sorry that he is prevented, by being in the Ministry, from placing his views before the House to-day, as to whether the development of the trade and commerce of the country does not require an increased circulation of paper money, which is redeemed every time it is used.

It may fairly be asked: Will the new tariff of itself meet the deplorable condition of our country? Our banks are staggering under heavy losses, and their excessive rates of interest are consumed in bad debts, and capital and deposits are replaced with worthless assets. Will it meet our deficits and untold liabilities in connection with our public works and Pacific Railway? Will it meet the loss of capital everywhere in manufactures, trade and agriculture? All this is not

disputed; whilst there is apparently a surplus of food, clothing, and all other necessaries as well as superfluities of life, at prices so low that they do not give the producers or manufacturers a living remuneration, while numbers are out of employment, the scarcity of money is so great that bankruptcy, want and poverty exist in the midst of abundance. Might not my hon. friend from Woodstock, with great propriety, make this state of things a part of his matters of inquiry? I can imagine I hear my hon. friend the Speaker of the House addressing us to the following effect, as it must be confessed I have gathered it largely from his former utterances here: What is wanted is a larger amount of circulation. If our Dominion legal tender notes were issued to pay for our public works, it would furnish the means of giving the people money to buy with. France has gone through a most disastrous war, paying to Germany £220,000,000 sterling in specie, besides her own expenses of £220,000,000 more, and she did it by increasing the circulation of the Bank of France from 14 billions, to 42 billions of francs—those notes were legal tenders not payable in gold, yet the premium on gold never rose beyond 2½ per cent, and that only for a short time. She now holds probably more than half the specie in Europe having carried out a strictly protectionist policy, causing the balance of trade to be largely in her favour. William Pitt in 1797, authorized the Bank of England to suspend specie payments and the notes were guaranteed by the nation. All the great wars with France were carried on with that currency, and the Bank of England did not resume specie payments until 1823. During that time Great Britain subsidized several of the continental nations by paying them gold purchased with the products of British labour exported abroad. France has a legal tender circulation of $44 per head. This Dominion has a legal tender circulation only a little over $5 per head. We cannot induce emigrants to come to this country unless employment is found for them, and we cannot employ them without money. The security for our Dominion notes is just as good as for our Dominion debentures. But while the notes cost our country no interest, the people have to be taxed to raise the money to remit abroad to pay the interest on bonds and debentures. Again I have heard my hon. friend from Belmont say, in effect, that wealth or value consists of two elements, one the natural resources which the Creator has given us without money and without price, the other the labour and ingenuity of the people, converting the raw materials of nature into exchangeable commodities. The late Government limited the issue of the Dominion notes and thereby added to the stringency in the money market, causing the shrinkage in all values. A national currency would be the proper adjunct of the National Policy, and would at once give a direct stimulus to our industries, for money is to the body politic, like blood to the human system—the life blood of trade. The American Pacific Railway was built by greenbacks supplying the labour to construct it. Our Pacific Railway could be built with our Dominion notes, representing the fertile lands of the North-West, as well as all the realized and floating capital of the Dominion, and furnishing the means by which the emigrant labour could be employed. I think I have heard my hon. friend refute the argument that the issue of a national currency would induce a premium for gold in this way—that a premium for gold arises from over-importation and insufficient specie to pay the intest on our debt; that gold, like all other products, rises and falls with the supply and demand; that making a bank note payable on demand does not increase the supply of gold, and that as gold is now nearly the only valid currency, the selling of it produces a scarcity, and tends to produce depression, causing bad debts, bankruptcy and ruin. I think these were the teachings of my hon. friend, whose opinions do not easily change It is a vital question, on which I freely admit my judgment is not matured, although largely influenced by the reasonings of the hon. gentleman.

Hon. Mr. MILLER—I would suggest to my hon. friend that he is wandering far from the question at issue.

Hon. Mr. KAULBACH—I do not think that this matter will now go before a committee. It is a question not only

how to employ labour, but how to pay it, and I think it would be well that every hon. gentleman should express his views as regards a national currency as well as a national policy.

Hon. Mr. McLELAN—Your contention is, that if we make money plentiful, people will come here themselves without being urged to do so?

Hon. Mr. KAULBACH—Certainly; plenty of work and ready payment. I should like to hear from the hon. the Speaker whether his views have changed lately from what they were when he formerly expressed himself on this subject. I should like my hon. friend to come down on the floor and controvert any one of these premises. I cannot say I am committed to any one of them myself, but if they are sound doctrines, then the financial principles of this country ought to be based on them. The question is, is the currency of Canada too contracted?

Hon. Mr. MACPHERSON—I do not know whether we ought to understand the announcement which has been made by the hon. gentleman who has just taken his seat, as a semi-ministerial announcement of financial policy or not. He has certainly given us to understand that he has spoken the sentiments of a Minister, and it is to be presumed that a Minister would not utter these sentiments unless they were those of the Government; therefore, it may be an ingenious mode of sounding this Chamber before the Ministry commits itself to this policy of a national currency through the leader of the House. We are very much indebted to the hon. gentleman for all that he has said on the subject, but it will require a very great deal of discussion before that question is settled and set at rest. The probability is, it will never be set at at rest, as one set of men will hold one opinion, and another set of men will uphold another opinion; and so it will continue, I presume, till the end of time. Seriously speaking, I shall not trespass upon the time of the House by saying anything more upon the financial question which has been interjected into the debate, but I will make a few remarks upon the subject of immigration. I think we all agree that is a a very important question, one that bears very deeply upon the future welfare of this country. I hope my hon. friends who have intimated that the Government are disposed to discourage rather than encourage immigration, are in error. I am not afraid to see too many immigrants come to this country. On the contrary I do not believe we can ever have great prosperity without immigration. I believe that immigration is the chief element of prosperity in a young country. How are the vast resources which we have heard so eloquently described by the hon. gentlemen from British Columbia and Nova Scotia to be developed, unless we have people to develop them? It is well known that the rapid increase of wealth in the United States is mainly due to the large immigration into that country, and if we in Canada want to prosper, we must invite to our shores the best class of immigrants that can be induced to come and settle among us. I am of the opinion that the present condition of Europe will cause the emigration of classes who a few years ago did not dream of leaving the Eastern continent. A better class of emigrants than we have hitherto seen will turn their attention to America, and I think we should endeavor, as much as possible, to direct these emigrants to our western territories, where there is ample scope for them, and where, in a very few years, they could make for themselves comfortable homes, and be in the enjoyment of wealth and independence, such as they never can attain to in the countries of their birth. Furthermore, I believe that many of the farmers in the older Provinces of Canada are ready to sell their improved farms for the purpose of moving to the West, and they would be safe, and desirable investments for the class in England and Scotland known as tenant farmers, many of whom, I believe, will emigrate to this country, and to whom the improved farms in the Western portion of Ontario would be specially attractive. It is well known that many of the farmers in the older Provinces of Canada are fond of pioneer life, and they are willing to sell their improved farms and acquire larger tracts of land for themselves and their sons in the new country of the North-West. While many of the tenant class of farmers would gladly invest in improved farms in the settled provinces, many others, with small means,

bordering on the laboring class, would go to Manitoba and assist in developing that country. We are spending millions of money to build the Pacific Railway, and what are we to do with it after it is built, unless we have a population to provide traffic for it? I would not advocate a very large expenditure for the purpose of promoting immigration. I do not think it is necessary. One of the great errors of the past has been the excessive expenditure. I believe information can be disseminated for the encouragement of immigration, without incurring anything like the expenditure of the past. The inconsistency of the late Government on the question of immigration was really extraordinary. The expenditure, as the Public Accounts show, has been very large, and it is well known that while the late Government maintained agents in Europe, nominally to promote emigration to Canada, they, themselves, discouraged it. The late Prime Minister, through the Agent General in London, announced to all the old world that there was no occupation in Canada except for farm laborers. The Premier of Ontario intimated, last winter, that there was no employment for farm laborers, so that the country was completely closed to all immigrants, yet the expenditure continued. The members of the Government and their chief agents, discountenanced immigration, while the sub-agents were paid large salaries for nominally promoting it. The result has been what might have been expected, a large outlay, and a very small immigration. It is true, and I am glad to see it, last year the arrivals were somewhat larger than they were the previous year, but still very small, and a very inadequate return for the large expenditure which was made to accomplish it. I see the immigration of last year exceeded that of the year before by about 2,000, namely, 8,812 against 6,785. Of these 8,211 came by sea, and 601 came from the United States. These, I believe, are all that were induced to come to this country through the efforts of agents employed for that purpose. I have brought this subject before the House on previous occasions, and I must protest against the practice of stating in the report of the Minister of Agriculture that all the people who enter this country by the Suspension Bridge, or elsewhere from the United States, are immigrants, for whom the expenditure of the Immigration Department and its agencies should be distributed. It is well known that the only immigrants who are really brought to this country through the expenditure of the Government are those who come by sea, and the few who have been induced to leave the United States, the latter numbering last year only 601.

Hon. Mr. DICKEY—Not all of them.

Hon. Mr. MACPHERSON—No, not all of them; but if you give the whole number, it is insignificant. According to the report of the Immigration Department the *per capita* cost of immigrants last year was $5.94. Nothing could be more erroneous, and I cannot see why the Department persists in putting, what almost every hon. gentleman in this House knows to be erroneous statements, before the country. The *per capita* cost of immigrants last year was $26. The cost in 1877 was $29 per head. I think it is the duty of the Government to do what is necessary to inform the people of Europe that there is an opening in this country for emigrants; that we have a great North-West territory, the most extensive tract of country in the world for the production of cereals; that we also have a vast amount of unoccupied territory in the old provinces of the Dominon, and that persons with some capital, and even those who are without capital, can make for themselves comfortable homes in this country. I think it is especially the duty of the Government to do this because of what was done by their predecessors in intimating that there was no opening in this country for any immigrants. That information has been used, and is being used, by the agents in Europe of other countries to divert emigration from Canada. The Government have very efficient agencies in the steamship companies whose vessels come to the St. Lawrence. These companies have their agencies spread over Europe, and they are deeply interested themselves in promoting emigration to Canada. By supplementing their efforts, I believe nearly all that is necessary to be done could be accomplished. As for the motion of my hon. friend from Wood-

stock for a committee to enquire into this question, I had not the advantage of hearing his speech the other day, but on reading it, I ascertained that he expects to obtain a large portion of the information he desires from the members of this House. As many hon. gentlemen will probably take advantage of this debate to express their views on the floor of the House, the hon. mover may see fit to withdraw his motion for a committee.

Hon. Mr. ALLAN—Like my hon. friend from Saugeen, I certainly heard, with not a little surprise, the announcement made by my hon. friend from British Columbia, that he understood that the policy of the present Government was to discourage, instead of to encourage, immigration. I hope that the official character which was imputed just now to the remarks of the hon. Senator from Lunenburg, does not attach to the speech of the hon. Senator from British Columbia! for it certainly would be an evil day for Canada, and we should feel the mischievous effects for many years to come, if the Government, as a government, should discourage, instead of doing everything in their power to foster immigration. I think, however, that the Government may well do this; they may inaugurate a wiser and more discriminating system of immigration than that which has obtained for some years past. I am perfectly satisfied that not a little discredit has been brought upon this country, and much suffering and disappointment to individuals, has been caused by the want of proper judgment and discrimination on the part of emigration agents. A very large number of emigrants have been sent out here, from time to time, by agents in Great Britain, from among classes who were most unlikely to succeed in this country. Many of these were clerks and young men in search of situations, the most helpless class possible, and the least likely, as a general rule, to succeed as emigrants. Others, again, were men who had been, for a great part of their lives, following, exclusively, some particular trade, or handicraft, or manufacture. On their arrival here, they found themselves without that sort of employment to which they had been accustomed, and with no opening for skilled labor, such as theirs, in the country, and, being in many cases, utterly unfit to turn their hands to other kinds of work, had no alternative if they did not wish to starve, but to move off to the United States, where they could find suitable employment. I do trust that the policy which has been alluded to by my hon. friend for Saugeen, as about to be inaugurated by the present Government of the Dominion, will do much to remedy the state of things I have alluded to, so far as regards the employment of skilled labor in manufactures in the Dominion. I trust that the encouragement and the impetus which will be given to manufactures of all kinds by the adoption of a national policy, will have the effect of giving profitable employment not only to our own people, but to very many from the old land that will come and make their homes here, instead of being driven as heretofore to seek employment in the United States. But while I hope we shall find in Canada for the future a much wider and better field for handicraftsmen and manufacturers of all kinds, I do not think, as the hon. Senator for Saugeen has said, that the opportunities afforded in various parts of the Dominion, more especially in Western Canada, for the immigration of those who have been all their lives following agricultural pursuits, and who may be able to bring some little capital with them to this country,—have been sufficiently made known by our agents in Britain. There is no doubt that there is a very wide and excellent field for that class in Ontario. The pioneer spirit which the hon. Senator for Saugeen has alluded to as still prevailing among a large number of our farmers, is unquestionably inducing a very considerable emigration from among them to Manitoba and the North-West. Many of these old settlers have large families growing up about them, and are desirous of obtaining more land for their children, and they find that they can do so on more favorable terms by going to Manitoba, and the North-West, and taking up new land there, than by endeavoring to add to their farms in the old settled localities where they may be at present living. This movement will undoubtedly bring into the market from time to time improved farms —just the sort of property suitable for purchase by men who have been tenant farmers in England, and may be desirous of becoming freeholders in Canada. But, in

addition to the openings which present themselves in this way, there are many parts of Western Canada, even in old settled counties where, hitherto, there have been very considerable tracts of excellent land, where the soil was of the best quality, but requiring more or less drainage to make them fit for settlement. I think it would astonish some hon. gentlemen who may not have given attention to the subject, to learn to what extent drainage operations have been carried on in late years, either by the different municipalities, or by individuals under the various drainage acts. A very large extent of excellent land is gradually being brought under cultivation, that has hitherto been valueless for agricultural purposes. These lands also are available for immigrants, more especially of the class I have indicated, who would come out here with capital, and with the advantage of the large experience which many of them have had at home in the matter of drainage and cultivation of land generally. There is no question, if the Government would endeavor to make the advantages of that part of Canada more widely known, they would succeed in getting out a very large and valuable class of settlers here. Besides, I think it is a matter of the very greatest importance that the emigration of any of our farmers from Ontario, should be immediately supplemented, as it were, by the immigration into Ontario of others to fill their places. We cannot take up a newspaper now-a-days without seeing some notice of emigrants for the North-West, and of parties from some quarter or another of Ontario, who are already *en route* for Manitoba. Every Canadian ought to feel an interest in encouraging the settlement and developing the resources of the great North-West, of which we are all so justly proud, but I think it is of vast consequence, also, that we should use every effort to endeavor to have the places of those who leave Ontario taken again by immigrants from Great Britain possessed of some capital, and of knowledge of farming, and, in that way, add very largely to the general wealth and prosperity of the whole country. So strongly have I felt impressed with this idea, that more than two years ago, when the emigration to Manitoba first commenced, and people began to move off from various parts of Canada to try their fortunes in the new Province, I sent a communication on the subject to a company with which I have been long officially connected, the name of which—the Canada Company—is doubtless familiar to many hon. gentlemen in in this House—a company which was largely instrumental in past days in settling a considerable portion of Western Ontario, and has still a large landed interest in different parts of the Province. I sent again very lately to the Court of Directors in London a report bearing on this subject. I may say that the Court of Directors of the company in London are all gentlemen of standing and influence, and they are willing, I believe, to use their best efforts to induce emigration, more especially of the class of tenant farmers, to this country, not merely with a view to their direct advantage as regards the property which they still hold in Canada, but with a feeling that anything conducing to the general prosperity of Canada will, of course, be equally beneficial to their interests as well. There can be no doubt that in Canada just now there is an excellent opening for the class of emigrants I have alluded to, and many a tenant farmer who finds it difficult to pay rent and taxes, and lay by anything for his children, who sees no better future for them than his own present position in life, may, I hope, be induced to come and push his fortunes in Canada. If such men would come out here, and invest their capital in the purchase of improved farms in Ontario, they would become, in a few years, prosperous freeholders, and, while thus improving their own condition, add very largely to the prosperity and general wealth of this country. I think, therefore, it is a matter of very great importance that the Government should endeavour to make known as widely as possible, through their agents and representatives in Britain, the great capabilities of this country and the openings which exist for the profitable investment of capital in agricultural pursuits. Of course, we all know that there is a very wide and extensive field open to emigrants in Manitoba and in the North-West, in the settlement and improvement of which, we as Canadians, as I have already said, should all feel great pride and interest. I hold, however, to the opinion very strongly, that it is far better that emigration to Manitoba and the North-West should be chiefly com-

posed of people who have, as it were, already gone through their apprenticeship here, who have known something of life in a new country, and who would make much better pioneer settlers than inexperienced emigrants, coming direct from Great Britain. Doubtless to men of energy and capital the North-West offers many attractions, but I am persuaded that the majority of settlers from the old country would find the partially improved farms, and the state of things they find in the older Provinces, with their ready means of communication, their schools, their churches, and many other advantages which can not be met with in newer districts, would be much more congenial to them, and much more likely to make their life in their adopted country in every way a success. I would, therefore, again express the hope that the Government will do all in their power to encourage judicious and systematic emigration to this country; and, if the policy to be inaugurated by them, as regards our different manufacturing industries, is faithfully carried out, employment in that way may also be found for the large class of emigrants who hitherto have been unable to find employment when they came to Canada, made but a brief sojourn in the country, and passed on, almost at once, to the United States. I think if the question of emigration is taken up in an earnest spirit by the Government, there cannot be much occasion for the Committee for which my hon. friend from Woodstock has moved, but I think that the thanks of the House, and the thanks of the country generally, are due to him for calling attention to a subject of such great and vital importance.

Hon. Dr. CARRALL—I concur in the remarks of the gentleman who preceded me. I think that the hon. Senator who projected this debate is entitled to the thanks of the country. It has elicited the views of hon. gentlemen who have given a great deal of attention to the question of immigration. We all understand that the world has been disturbed since the manumission of slaves in America and recent wars in Europe, that a depression has occurred in the commerce of the country, and that legislation is required. I hold, with the hon. gentleman who preceded me and spoke so convincingly, that this question of immigration is one which requires grave re-consideration. I think that the present system is a rotten one. I think that it is a mistake to pay agents to induce people to come here who are utterly unfit for life in this country. I have given a great deal of attention to this matter, and it is my conviction that it is a mistake to bring people here. Let us make the country successful by wise legislation. We have a Government equal to the occasion, if they will only put their shoulders to the wheel. Let us construct our public works and open up the vast interior of the country. Lord Selkirk started the settlement of the interior of the continent in 1812, and it was only after two failures that he succeeded in planting a colony on the banks of the Red River. Canada possesses that country now. We have half of the continent and we only require a thoroughfare through it to colonize it. The Government should come down with a policy and fulfil the conditions which they entered into with me as a representative of British Columbia years ago. By doing so they can afford employment to all who may come, and then the rivulets of population will flow from all sides into the Dominion. California itself would give us some of its people. Instead of keeping up an expensive emigration system in Europe to fill the Dominion with a population unfit for colonial life, we would attract the people best suited for colonizing the country. I would urge upon the Government the necessity of reorganizing the emigration service, which, at present, is of more benefit to the Western States than to the Dominion. The hon. Senator from York, (Mr. Allan), spoke feelingly about bringing people out here. and establishing this portion of Canada as a sort of school to educate these people up to western ideas. This may be very good, but when we reflect upon the fact that every steamer which leaves San Francisco takes some of our people to New Zealand and Australia, that our young men are emigrating to California, Colorado and other States of the neighboring Union—our educated young men, the graduates of our universities, and the most intelligent, energetic and enterprising of our citizens—we should devise some means to detain them in their own country. I think that the

Government are able to propose wise legislation, which will afford employment for our own population, instead of bringing other people here to support. It has been my misfortune to have to provide employment for some of these arrivals. I have applied to the Government on their behalf, but

"Every door is barred with gold and opens but with golden keys."

I can get nothing for them, and they tell me that they are starving, that life has become a burden to them. It is the same in Chicago and other western cities; it is the same everywhere. I do trust that the Government will not continue to invite people here to take the place of our own boys who have gone west to become merchants, bankers, manufacturers, etc., successfully.

Hon. Mr. MACPHERSON—That is owing, very largely, to the emigration to that country.

Hon. Dr. CARRALL—The right sort of emigration—such emigration as will follow, I am sure, the construction of our Pacific Railway. Had our great Northwest been tapped years ago, it would have been, by this time, a prosperous country instead of a land of half-breeds. Had it been a coast country there is no question that Lord Selkirk's settlement would have been very successful. We must cease to regard this as a provincial question; we must consider it as one affecting the Dominion from ocean to ocean. I would urge the Government very strongly to meet the views of British Columbia, or, at all events, to announce a policy which we can discuss, and if the gentlemen composing this Parliament cannot see their way to opening up this vast country, let us know it by all means. Having said so much I desire to add, that I endorse the remarks of the hon. Senator from Lunenburg, (Mr. Kaulbach, and shall support the party which will adopt such a policy to the utmost of my ability. I must say that I think the Government were guilty of a cruel act when they placed in the chair as Speaker, a gentleman who could have shed an effulgence of light on this Chamber in the matter of the currency question, and I do trust, too, that he will see his way to leave the chair and give expression to the convictions which it took me eight years to understand, but which I do now must fully appreciate and endorse.

Hon. Mr. PELLETIER—I cannot say that I was surprised to hear the hon. Senator from Saugeen repeat his accusation of extravagance in expenditures on immigration. Last session he made those charges with great eloquence, but in such a way that I could not admit the accuracy of them. Not having the good fortune of enjoying his confidence, of course, all that the late administration said, was wrong, in his appreciation. He now makes the assertion that the late Premier of the Dominion, and the Premier of Ontario discouraged immigration to Canada. This is an assertion that cannot let pass without protest. I admit that during the last years, the aim of the Government was not to encourage the immigration of laborers because we had more of that class at home than we could employ. We wanted to encourage particularly the immigration of the agricultural class. Now that we have a national policy, under which we are told, a great many industries will be established and built up, such a class as laborers will, no doubt, be encouraged, and my sincere hope is that the policy of the Government will succeed. We may admit that we were wrong if we see prosperity restored to the country by that new policy. I am not such a partizan as to say that I will not approve of what may be better done by our opponents than we could do it ourselves, but I shall wait until that new policy shall prove our wrong before admitting it. As to the protest which the Hon. Senator for Saugeen made against the report of the Minister of Agriculture, I am not surprised that he has repeated it. Although that report is for a year during most of which we were in power, it is not our report, and I am glad to observe that the present Minister of Agriculture takes the same view that I did of the arrivals by the Suspension Bridge, and represents them as immigrants. The Hon. Senator for Saugeen is nearer to the power on the Treasury Benches now than he was last year, and I hope he will be able to congratulate the House next year upon an improvement in the immigration service.

I shall be most happy to join him in his congratulations. I think the hon. gentleman is rather unjust in accusing the late Government of extravagance in the administration of the Department of Agriculture. We followed the system that had been in force before our time, and if the number of immigrants has decreased of late years it is due, not to the want of exertions on the part of the agents, but to the unsettled condition of trade in Canada like in other countries. The decrease in the number of immigrants have been still larger in the United States, where the Government is offering every possible inducement to immigrants.

Hon. Mr. MACPHERSON—I should be very sorry to do the hon. gentleman, (Mr. Pelletier), anything approaching injustice, and the only portions of his remarks to which I shall allude, are those wherein he seems to deny that the late Premier of Canada, and the Premier of Ontario, discountenanced immigration. We must assume that the late Premier of the Dominion instructed the Agent General to announce that there was no opening in Canada for immigrants except farm laborers, for he was in England at the time the announcement was made. Am I not correct in that ?

Hon. Mr. PELLETIER—I do not deny it positively, but I may say that our policy was not to encourage the laboring class of emigration, as we thought that we had plenty of that class here at the time.

Hon. Mr. MACPHERSON—Then the only class encouraged was farm laborers ?

Hon. Mr. PELLETIER—More especially that class.

Hon. Mr. MACPHERSON — Mr. Mowat last year extended the prohibition to farm laborers. That excluded every class. What I complain of, is that when the Government adopted an anti-immigration policy, they did not reduce the expenditure on the service. If, when they considered that immigration was not desirable, they had stopped the expenditure I could understand their course. Whether the policy was a wise one or not, there would have been an end to the question so far as that Government was concerned. I complain that the adoption of their policy was not followed by a discontinuance of the expenditure.

Hon. Mr. HAYTHORNE—I think I might with some justice complain that the hon. Senator for Saugeen has had an opportunity of making two speeches this evening, while I have not had the opportunity of making one. The hon. gentleman has affirmed his view of the case, which is, that Canada offers ample employment for the laboring classes. The opinion of the late Government, at a particular period it appears, was to the contrary, based on the fact that a large number of laborers were unemployed. On this point the hon. Senator for Saugeen brings forward long arguments, which, after all, amount only to opinion, and affect the question introduced by the hon. Senator from Woodstock very slightly. With reference to that subject, I may say that I was not aware that my name had been placed on the committee, and, not having had any previous communications with the hon. gentleman, I can only gather his object from the speech he has made, and from the terms of his motion. I must say that I most sincerely sympathise with the object of his motion, if I comprehend it aright, and, in my opinion, he has done the country good service in bringing up this discussion. Though I may not agree with him in all his views, yet I certainly do not feel disposed to throw cold water upon an effort which may possibly result, if not on this occasion or during the present Session, at all events on some other, in bringing good to this country. As far as I can judge from the terms of his motion, it appears to me the hon. gentleman's views were directed chiefly to the introduction of manufacturing industries and capital to set those industries in motion.

Hon. Mr. ALEXANDER—Yes.

Hon. Mr. HAYTHORNE—And, I presume further, that his views extend principally to Great Britain, as being the country where capital is, for the most part, cheapest, and which supplies to this continent the largest number of laborers of all kinds. But I must say, from my

peculiar view of the case—perhaps a little peculiar at present in this country, but not so much so in Great Britain—that the trade policy which has been adopted by the Government and a large majority of the Parliament during this session, is not one which is likely to prove very attractive to English capitalists or manufacturers. It is quite possible from other parts of Europe, where the protectionist principle is duly appreciated, and, perhaps, in the United States, men may be found to embark their capital, labor and machinery, in such enterprizes. But, for my part, I think the course taken with regard to our trade policy is not one calculated to commend itself warmly to the British nation. However, although I do not expect much from that point of view, I believe firmly in the possibility of attracting to our shores most valuable settlers, of the character alluded to by the Hon. Senator from Saugeen, and the hon. gentleman who followed him. I agree with most of the statements which fell from those hon. gentlemen, and for these reasons. During the last three years at least, British farmers have been suffering from unusually bad crops. They have had most defective grain crops. The number of head of live stock has considerably declined, and, moreover, had been considerably on the decline for several years previously. If you add to those points, which seem to indicate a reduction in the wealth of this class of the population of England, this further point that rents have been rising for many years past, and the limited area of land in Great Britain prevents farmers' sons and others from embarking in the cultivation of land, which they might do with great advantage in Canada. These facts seem to show that amongst the farming class of England would be found some most valuable settlers for this country. I have moved a good deal among men of that class, and among the farming class of my own community, for many years past, and I can say with the utmost confidence that, in my own Province, the farmers have won for themselves a most happy competence, without enjoying, perhaps, a large amount of wealth measured by money—although many of them not deficient in that respect—have possessed comfortable homes, fertile lands, good stocks, and good farm buildings. Now all these circumstances clearly indicate that good men of enterprise like the tenant farmer of Great Britain are, with a practical and scientific knowledge of their profession, there is open to them a fine career in different parts of Canada, my own Province in particular. I have, as an individual, shrunk from advising any one as to what course he should pursue with regard to emigration. I have often been asked for such advice, and have declined to give it, because so much depends upon the individual himself. If I have felt so much responsibility as a private individual, I must surely have felt it still more as a member of Parliament, but with the great variety of climate and soil—all that the heart of the farmer could desire—I think we can safely commend this country to the notice of the farmers of Great Britain and Europe as their future home. I must say with regard to emigration and emigration agents, that I agree to a certain extent, with the remarks of the hon. Senator from Saugeen. I believe myself that that style of thing has been rather overdone. The fact is, you meet in every large town in Great Britain, the emigrant agents of the various British, North American and Australian colonies, the last named possessing, undoubtedly, great attractions, though not, perhaps, greater than our own country offers, but still with very great attractions. The United States also have their agents competing for custom among the class about to emigrate; and at last the people begin to think that there is not a great deal of credit to be placed in the representations of any of them. Under good management, the plan of my hon. friend from Woodstock might prove of great use. Although the emigrating classes might refuse to believe in the representations of agents trying to rival each other in commending their various provinces to the notice of intending emigrants, it does not follow that a report of this House, carefully drawn up and carrying on its face the importance which such a report must always have, will be disregarded by the farming classes of Great Britain or Europe. So I think my hon. friend's idea is a most excellent one. I only regret that it has been put forward at such a late period of the session. Unfortunately, this House in the early part of the session is rather too fond of taking holidays. Had we

commenced this discussion earlier, with several weeks before us, it might have produced useful results, but before we can get a committee organized, summon witnesses, consider their evidence, and draw up a report which would be suitable for the purpose, we should probably have arrived quite at the end of the session, and it must be remembered that we have at this time nearly all the business of the session to do. I mention this, not with a view to throw cold water on the hon. gentleman's efforts, but to call his attention to the fact that at a future session of this House, his ideas may prove exceedingly useful, though there may not be time to give effect to them now. The hon. Senator from York, (Mr. Allan), speaking of the agricultural classes of England, expresses the opinion that they are better suited for old farms in Canada, than new ones in Manitoba. As my hon. friend from Nova Scotia has intimated his idea that the present debate might be made to serve a useful purpose, perhaps a few hints from me on the subject might not be altogether without value. I demur to the statement of the hon. Senator from York. I believe that immigration from Great Britain to Manitoba would be very likely to succeed, and for this reason. The English agriculturalist is particularly successful in the working and management of machinery ; and I can conceive of no better investment for a man of small capital, with the agricultural skill and experience which is found among all classes of farmers in England, than the use of agricultural machinery in Manitoba. There he would meet with the just measure of success that he could expect or achieve in any part of America. Will the House consider for one moment the great advantage which the English farmer emigrating to Manitoba would gain, knowing as he does, the use and management of the steam plough and steam cultivator in all its different branches. I conceive that a farmer so circumstanced would have a better chance of making a rapid fortune than perhaps in any other part of this continent. So far from thinking that he would be unfit for a new country, I believe that he would be better adapted to succeed in Manitoba, than upon an old farm where he might have to grapple with the difficulties of the labor question, and find it necessary to restore the rather exhausted fertility of the soil. I think that with steam cultivation, he would do better in Manitoba than even in Western Ontario. These were the views which occurred to me as the debate proceeded, and although I must say that I have not very great confidence in being able to succeed in accomplishing any thing during the present session, yet I believe the hon. Senator from Woodstock is clearly entitled to the thanks of the House for his public spirit, and the ability with which he has brought the matter forward.

Hon. Mr. TRUDEL—I differ from the opinion of the hon. gentleman who advised the hon. Senator from Woodstock to withdraw the motion. I think that such a committee as has been proposed might be very beneficial in the public interest. While I consider that there is a good deal in the remarks of the hon. Senator from Prince Edward Island, that such questions should be brought up at the beginning of the session, I think that we should have in this House a standing committee on Immigration, Colonization and Agriculture. I believe these would be proper subjects to occupy the attention of members of this House during the early part of the session, when there is not much to be done here The only objection that I see to this motion is from a ministerial point of view. I know by experience—because I had something to do with such committees in another legislature—that a report such as this committee might make to the House would possibly encroach upon the rights and functions of the administration. Sometimes gentlemen belonging to such a committee, not having to deal with money matters, and having no responsibility, make suggestions which are not always practicable, owing to the state of the finances of the country. This is one reason why the views of my hon. friend should not be entertained ; but I think that the difficulty might be obviated by appointing to that committee a member of the Government. I agree with some hon. gentlemen, who say that the whole of the immigration which came to this country for some years past, has not been very satisfactory. It is not well, however, to judge the results of the department's labors by the number of emigrants visiting us. I think we should aim

at the quality rather than the quantity. The hon. Senator from Londonderry, who advised the withdrawal of the motion, because, now that the National Policy has been inaugurated, no obstruction should be put in the way of the Government carrying it out, by such a committee as this. I differ from him because I believe that such a committee would come to the help of the Government in a great measure. Of course the members of the Cabinet are very much occupied, and cannot give to the subject so much time and consideration as other members of the House could. It has been said that probably it would be sufficient to hear the expression of the views of members of this House in this debate, but I believe that there are many hon. Senators who could give valuable information, who are not ready to rise and deliver a speech on the question. For my own part, though I do not consider that I can give much information on the subject. I must say it was with great hesitation that I decided to speak upon it. The question is one of such magnitude, that it would require the close attention of a committee for many days to give it the consideration it demands. They could assist the Government, by expressing in detail the wants of the country. For instance, they might report what special class of immigrants would be required in certain localities, what industries should be started there, and a report framed upon such suggestions might be very valuable to place in the hands of our immigration agents abroad. I have not the advantage of knowing personally the gentlemen representing the Dominion in Europe, but I think some of them are not fitted for the positions they occupy, chiefly because they do not know our country, our resources, and what advantages can be offered to immigrants; or, if they do possess such information, they receive it by pamphlets —information necessarily very superficial; and it is not the knowledge that comes from a thorough acquaintance with the resources and requirements of the country. A few days ago in Montreal, I happened to meet a gentleman who had been strongly persuaded by a Canadian agent to come to Canada. He had credentials which showed that he had been head book-keeper in one of the most important concerns in Europe, a company with a business amounting to millions. Now, everybody knows that probably one-third of the book-keepers in this country were out of employment, in consequence of the commercial depression. I think that the duties of an agent should not be limited to bringing people here; they might also be very usefully occupied in preventing certain kinds of people from emigrating to Canada. We know that in some instances large sums of money have been expended in sending emigrants back to Europe, to obviate the difficulties which might arise by allowing them to remain here. Intelligent agents who would properly understand how to fill their positions would be of great advantage. They might induce many capitalists who cannot compete in some of the branches of industry in the old world, but who have enough capital to establish successful manufactures in this country, to come out, and thus add considerably to our general wealth. My hon. friend for Saugeen objects to classing as emigrants people arriving by the suspension bridge; but the hon. gentleman should not lose sight of the fact that within a few months past a very important portion of our immigrants came from the United States and went to Manitoba. Such emigrants are a valuable acquisition to the country. I think the attention of the Government should be turned to this subject, and that a great deal could be done in the way of repatriating Canadians, who would make the very best colonists in the North-West.

Hon. Mr. READ moved that the debate be adjourned until to-morrow.

The motion was agreed to.

BILL INTRODUCED.

Bill (11), "An Act respecting the International Bridge Company. (Hon. Mr. Read.)

The Bill was read the first time.

GEORGIAN BAY BRANCH RAILROAD.

INQUIRY.

Hon. Mr. READ—I would ask the hon. Secretary of State whether the re-

turns which he has brought down respecting the Georgian Bay Branch Railroad, and the Canada Central extension, are complete. I asked for all the contracts and agreements, and I find that none between the Government and the Canada Central Railway Company have been submitted.

Hon. Mr. AIKINS—If there are papers which have not been produced, I will bring them down.

The House adjourned at 6 o'clock.

Thursday, March 27th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE CAMPBELL DIVORCE CASE.

READING OF THE PETITION.

The order for the reading of the petition of Eliza Maria Campbell, praying for a divorce from her husband, having been called,

Hon. Mr. CORNWALL asked whether the provisions of the 74th clause of the rules and orders of the Senate had been complied with? That rule was as follows:

"When proceedings in any courts of law have taken place prior to the petition, an exemplification of such proceedings to final judgment, duly certified, is to be presented to the Senate, on the reading of the petition."

Hon. Mr. REESOR understood that the rule did not apply to this case, because there had been no action taken in a court of law by Mrs. Campbell against her husband.

Hon. Mr. CORNWALL objected to any further proceedings being taken in the matter, before the provisions of the 74th clause were carried out. The wording of the clause was perfectly clear: An exemplification of all the proceedings in the courts must accompany the petition.

Hon. Mr. MILLER did not know that the application of the rule was quite as plain as the hon. gentleman would have it appear to be. There was no doubt that if there had been any proceedings in a court of competent jurisdiction on the part of Mrs. Campbell against her husband, and if these proceedings had been carried up to judgment, then an exemplification of such proceedings should be submitted to the House. But he was not so sure—in fact, he did not agree with his hon. friend that an exemplification of any proceedings had by the husband against the petitioner must necessarily be submitted with the petition.

Hon. Mr. KAULBACH said that an action had been brought by Mrs. Campbell against her husband for alimony, and that there had been a decision of the court refusing alimony, sustaining the defence of adultery. An exemplication of that case should certainly be annexed to the petition.

Hon. Mr. DICKEY thought that the construction of the rule given by his hon. friend from Arichat, (Mr. Miller), was the correct one, as would be seen by reading the 74th rule in connection with the following clause:

"75. In cases where damages have been awarded to the applicant, proof on oath must be adduced to the satisfaction of the Senate, that such damages have been levied and retained, or explanation given to the Senate for the neglect or inability to levy the same, under a writ of execution, as they may deem a sufficient excuse for such omission."

The object of this was to establish whether the application was a sincere one, or whether there had been any collusion. The petitioner must show that there had been no collusion in order to obtain a separation. Therefore the 74th rule applied only to proceedings taken by the petitioner in the matter.

Hon. Mr. POWER said that the Hon. Senators from Richmond and Amherst had laid down the rule as, in their judgment, it ought to be construed, but not as it was framed. There was no question that it prescribed certain conditions which must be complied with by every applicant for a divorce. It had been brought to the notice of the Senate last session and the session of 1877, that certain proceedings had taken place in the Courts between the

parties concerned in this case. He did not think that this House could proceed intelligently in this matter, unless it had before it an exemplification of these proceedings. It appeared to him that this petition asked the Senate to constitute itself a Court of Appeal from the Chancery Court of Ontario, in a matter in which that Court had complete jurisdiction.

Hon. Mr. CAMPBELL said that this was a petition, as he understood, praying for a divorce and for alimony. Now, the suit which had been brought by the petitioner against her husband in the Chancery Court, was for alimony, and was, therefore, on the very point on which legislation was now sought for. It seemed to him clearly beyond all doubt that, before the House could decide what to do with the Bill to be presented in pursuance of this petition, an exemplification of the proceedings taken before the law courts must be produced and laid before a committee or the House. The rule evidently included other cases besides those where damages were awarded. The House was entitled to all the papers and information it could get, and, amongst others, an exemplification of the judgment in the case of Mrs. Campbell against her husband for alimony.

Hon. Mr. MILLER did not see why the hon. gentleman who had charge of this matter had not produced the exemplification in that case.

Hon. Mr. REESOR explained that Mrs. Campbell had been advised that the rule did not apply in this case—that any action which she had brought against her husband for alimony was not an action of the kind referred to in this rule. When this case was before the Senate in 1877, and exemplification of that judgment was not demanded, although her petition was received and referred to a committee, and a bill based upon it passed the House. That was a very good precedent for the course he was now taking. He did not see why the petitioner should be compelled, in the present case, to go back behind all that had taken place in the Senate in former sessions, and produce an exemplification of a judgment that had been passed over before. He thought that the precedent, which had been established in this case, should be followed.

Hon. Mr. KAULBACH did not see why a bad precedent should be followed. His impression was, however, that an exemplification of that judgment had been produced.

Hon. Mr. DICKEY said that the House was acting under the rules, and was disposed to abide by them. If a suit had been entered by the petitioner against her husband, and that suit had gone to final judgment, an exemplification of the decision should be produced. The proceedings, whatever they had been, were before the House, and he could not understand why they had not been brought forward. It would have saved a good deal of time and discussion.

Hon. Mr. CAMPBELL—Postpone the reading of the petition until to-morrow.

Hon. Mr. REESOR said that there had already been so much delay that it would be difficult to get the Bill through the House this Session. If any additional information were required, it could be procured before the Bill was printed. In the meantime the petition could go before a committee.

Hon. Mr. CAMPBELL—It cannot go before a committee until the rules are complied with.

Hon. Mr. REESOR—I claim that I have complied with the rules.

Hon. Mr. CORNWALL said that the delay of which the hon. gentleman complained was the result of his (Mr. Reesor's) own carelessness.

Hon. Mr. AIKINS thought that it would be better to postpone the reading of the petition until to-morrow. In 1877 the exemplification referred to had been produced by Mr. Campbell, the proceedings at that time having been taken by him. Mrs. Campbell subsequently became the petitioner.

Hon. Mr. REESOR said that it must be borne in mind that a Bill was, nevertheless, passed in this House granting Mrs. Campbell a separation from her husband, and this objection was not taken on that occasion.

Hon. Mr. MILLER said that the hon. gentleman should bear in mind that the objection had not been taken on that occassion. Had it been started the case might have been very different.

The reading of the petition was postponed until to-morrow.

THE LONDON AND CANADIAN LOAN COMPANY'S BILL.

THIRD READING.

Hon. Mr. HAMILTON, (Kingston), from the Committee on Banking and Commerce reported Bill (F.) "An Act further to amend the Act incorporating the London and Canadian Loan and Agency Company (limited)," with certain amendments.

Hon. Mr. BENSON moved that the amendments be concurred in.

The motion was agreed to.

The Bill was then read the third time and passed.

THE CENSUS AND STATISTICS BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (B.) "An Act respecting Census and Statistics."

The motion was agreed to.

Hon. Mr. POWER desired to give one or two reasons why he considered that this was a measure which should not pass. In the first place, it was premature. In the second place, it was more complicated than was necessary. The result would be that the cost of taking the census would be largely increased. It seemed to him that a simple schedule, like the one used in England, ought to be quite sufficient for us here. There had been a great many volumes of the census taken in 1871 published, and the last one had only been placed in the hands of members within the past few days. With the exception of the first two volumes, these books were practically useless. It seemed to him that a much simpler system of taking the census would suit the people better, and that probably a quarter of a million dollars would be saved to the country by the adoption of the English plan. There was another objectionable feature of the Bill, and one in which, if he was not misinformed, it differed from the former Census Act. This Bill gave the Government power to appoint one or more enumerators in each district, instead of only one as before, and a whole army of enumerators would probably be appointed to take the census, at a heavy cost to the country.

Hon. Mr. ALEXANDER desired to add but one observation to what the hon. Senator from Halifax had said. Every hon. gentleman must have been surprised to learn that the cost of taking the census of 1871 was half a million dollars. As members of Parliament, they might have ascertained that fact by reference to the Public Accounts, but he had been under the impression that a quarter of a million was the extent of the expenditure. He was sure that other members of the Senate besides himself had been astonished to learn the cost of that census. He hoped that the Government, in taking the census of 1881, would endeavor, at all events, to prevent an increase of that amount. The country was not in a position to afford to spend more than half a million dollars in taking the census of the Dominion.

Hon. Mr. CAMPBELL said that he had never heard a discussion on the third reading, or rather the passing, of a bill, unless the gentleman raising it had a rider to propose. It did not seem, he would not say, modest for the Hon. Senator for Halifax, after the House had unanimously passed the bill in its present shape, to set up his judgment against theirs, and say that what they considered proper and right was improper and wrong, and yet propose no rider. In reply to the Hon. Senator from Woodstock, he would say that the Government would endeavor to carry out the census as economically as possible. If they should fail to do so, Parliament could condemn them, but it was hardly fair to assume in advance that they would appoint an army of enumerators and increase the cost of taking the

census. It was the duty of the Government, under the British North America Act, to take the census in 1881. Of course they would perform that duty as economically as possible. If they failed to do it in a proper manner, then it would be time to condemn them, as the hon. gentleman had done in advance, and, as he thought, prematurely.

The bill was then passed.

IMMIGRATION AND COLONIZATION.

DEBATE CONCLUDED.

The order of the day being read for resuming the adjourned debate on the hon. Mr. Alexander's motion :

"To resolve, That a Select Committee, composed of the hon. Messrs. DeBoucherville, Dickey, McLelan, (Londonderry), Read, Ryan, and the mover, be appointed to consider the question of Immigration and Colonization, and the best means available for attracting to this Dominion men of enterprise and capital, through whose efforts our manufacturing industries may be fostered and extended."—(Hon. Mr. Read.)

Hon. Mr. CORNWALL asked how it came that the personnel of the Committee had been changed since the motion had been put to the House. He saw that there had been two or three names taken off, that by the agreement of the House, had been placed on the Committee.

Hon. Mr. ALEXANDER said he was not aware of any names having been taken off the Committee. He had requested that one or two names should be added to it.

Hon. Mr. CORNWALL said the names of hon. Messrs. Botsford, Cornwall and Girard that were on the Committee when the motion was first submitted to the House, were omitted in the motion printed in the Order of the Day.

Hon. Mr. ALEXANDER said he knew nothing of it until his hon. friend had called the attention of the House to the matter.

Hon. Mr. READ—In moving the adjournment of yesterday, I did so because I thought it was a subject which might well engage the attention of this Chamber. The resolution points to the introduction of enterprise and capital into this country, through whose efforts our manufacturing interests may be fostered and extended. That is very desirable, but if everything has been done that can be done in that direction the Committee can be of no use. When the measure, that is now before Parliament, is carried, we anticipate great results from it, but whether all the results we anticipate will follow without any further effort on our part, I am not prepared to determine. People have different tastes and different inclinations ; and while manufactures have not been carried on amongst us to the extent we desire, it may be well for us to consider whether we can, by any means, encourage a taste for manufacturing industries that we do not now possess. I have been long of the opinion that where we buy more than we sell, we must be getting constantly into debt.

Hon. Mr. ALEXANDER—Hear, hear.

Hon. Mr. READ—Free traders tell us to the contrary. They sometimes inform us that it is an evidence of our wealth our being able to buy largely in foreign markets. I recollect two years ago when Mr. Cartwright made his financial statement, he showed that the country had been buying very much more than it had been selling. The London *Times*, a leading free trade organ, made a comment on it, and said: "While we can cordially congratulate Canada on her ability to purchase largely in the foreign markets, more than she sells, that must not be considered an evidence of wealth, but an evidence of debt." That is the opinion of the great free trade organ ; that is my opinion, and I am a protectionist, and always have been. Every sensible person must conclude that if we buy more than we sell, and continue to do so, we must be getting into debt. To provide against continuing to purchase in foreign markets more than we sell, there is a remedy, and that remedy is now before Parliament. It is to make Canada produce what Canadians requires, instead of buying it in foreign countries. It is to see if something cannot be done in that direction, is

the aim of the mover of this resolution. If the Committee could only throw some light on that question, it will do some good. It is appalling to look at the figures in the Trade and Navigation returns. Is it to be wondered at that we are getting poorer, when we consider all the millions of dollars that we have been borrowing? Where has this money all gone to? Is it in the country? Is it in the hands of the people, or is it in the banks? Take up the bank statements, and we find that the Government deposits are reduced, the people's deposits are reduced, and the bank stocks are reduced; and we cannot be congratulated in the future by the *Times* on our ability to borrow unless we make both ends meet better than we are now doing. We have only to compare the public debt of to-day with what it was five years ago, to see how enormously it has been increased. We know that large sums of money have been borrowed, but where has it gone to? We can easily see that a great deal of it has gone across the border, but what has it gone for? We have only to take up the Trade and Navigation returns to see what has become of the money we have been borrowing in England. The last five years we have paid the United States $101,988,473 more than they have paid us, which accounts for our depression to a very great extent. The following statement will show how the account stands:

	Imports from U. S.		Exports to U. S.
1874.....	$54,283,072	1874....	$36,244,311
1875.....	50,805,820	1875....	29 911,983
1876.....	46,070.033	1876....	31,938.459
1877.....	51,312.669	1877....	25,775,245
1878.....	48 631.739	1878 ...	25,244 898
	$251.103,333		$149,114,896

It must be taken into consideration that a portion of the purchases from the United States we sold again in Europe, to the extent of about thirty millions, but that leaves us seventy millions behind that we have had in that short period to pay in gold or its equivalent. The United States have always received their pay for their goods; and, when we consider that a very large portion is for manufactured goods that we ought to produce ourselves, and which, from our position and climate, we might, with encouragement, produce, we have purchased dutiable goods to the following extent:

In 1874, over	$21,000,000
" 1875, "	22,000,000
" 1876, "	21.000,000
" 1877, "	23,000,000
" 1878, "	23,000,000

If we can do anything by which we can employ our own people in manufacturing what we now purchase from foreign countries, I am satisfied that they can do it equally as well, if not better than foreigners. I do not agree with my hon. friend from Prince Edward, in what he said yesterday that English artizans and English farmers would do better in Manitoba than Canadians, because they were so much handier with machinery, and understood it so much better than Canadians. I disagree with him entirely on this point. While I am an Englishman myself, I consider that what a Canadian is not capable of doing you need not set any other countryman to do?

Hon. Gentlemen—Hear, hear.

Hon. Mr. READ—What a Canadian is not capable of doing, as a general thing, you need not set an Englishman to accomplish. I have had some little experience in this country, and I must say where ingenuity or mechanical skill are required, Canadians are far ahead of the average Englishman.

Hon. Mr. CORNWALL—Perhaps the hon. gentleman has not had much experience of England lately?

Hon. Mr. READ—Not very much, but I think I know a little about it for all that. I look forward to great results from the new tariff that has been placed before us by the Government of the day, and I must give them credit for having carried out their pledges to the letter—every pledge they made to the people, and, in another place,—the tariff is perfectly in accordance with the resolution proposed by the leader of the Government, (Sir John Macdonald), when in Opposition last year. The people have given the Government their confidence, and I am sure they will be satisfied with the measure that has been submitted to Parliament. While the new tariff may bear heavily on some interests, on the whole, I

feel convinced that it will benefit the country, and I look forward to the year we are now starting upon as an era of prosperity. The people are already feeling better. Bank stocks are improving, everybody has hopes of the future, and hope is a great thing to carry us along. When we lose hope we lose almost everything. We have hitherto been purchasing the labor of other people, while our own people have been standing idle; they asked for bread, but the late Government gave them a stone, this Government is going to give them bread. I admit that large importations fill the treasury, but they empty the pockets of the people at the same time. The United States have acted in a selfish manner. While we received their goods, they refused to take ours even at a lower price. I think this is a fitting opportunity, while wages and provisions are low, for the introduction of manufactures into this country. I hope the effort will be made, and if the tariff is not sufficient, we must do something else by which we will attain that object, and extend prosperity within our borders.

Hon. Mr. FLINT—The resolution which is before the House, introduced by my hon. friend from Woodstock, will, no doubt, be valuable, inasmuch as it has brought out the views of a large number of the members of this House, and those views going to the country will be beneficial to the people who read them. I doubt, however, very much, the propriety of urging the adoption of this resolution at the present moment. My reason is this; we find that the tariff question is now before the other Chamber for debate, and until that question is before us, I think that this resolution should not have been brought up. If my hon. friend had thought of that, he would probably have kept his motion in abeyance until the tariff was before us; it would then have come in very properly. The resolution asks for a committee to consider the question of immigration and colonization, and the best means available for attracting to this Dominion men of enterprise and capital. Now, I consider that so far as immigration and colonization are concerned, from the experience we have learned in the past few years, it would be better not to press the question at the present time, and not to spend one dollar for that purpose. Our country is already full to overflowing of working men who need employment, and to pay out money to induce others to come to Canada at the present time would, in my opinion, not only be injurious to our own interests, but unjust to those who might be encouraged to come here. As regards attracting men of capital and enterprise to this country, the Government is now taking the necessary steps for that purpose. It seems to me from what I can glean from the various newspapers published in this country, and the extracts published in the press of Great Britain and the United States, this question is being fully discussed in those countries. No doubt it will soon be discussed in Europe, and it will be set so fully before the people of the world that when they find our tariff has been framed not only with the view to raise a revenue, but to protect new manufactures that may be established in the country, it will be an inducement to men of capital and enterprise and to skilled artizans to emigrate to Canada. We find already that various kinds of manufactures that had been crushed out of existence, are springing up anew, and will afford employment to our workmen. We find also that manufacturers in the United States are going to establish branches of their business on this side of the line, for the purpose of supplying this market, and to avoid paying the duty. When this wide-spread interest has been awakened in the minds of the people, with reference to this very question, it seems to me it would have been better if my hon. friend had postponed this resolution until we had the tariff before us, and then, in the discussion on the tariff, these questions would naturally arise. I do not intend to enter into the question of the tariff at all until it comes before us. The verdict of the 17th of September is quite sufficient to prove, not only to this country, but to the United States and all other countries, that the people of the Dominion have declared in favor of a protective policy; that we shall manufacture for ourselves, and get rid of paying out such vast sums of money as have been leaving the country every year for importations over and above our exports. When we can succeed in making

our exports greater than our imports, even though it may be only one million dollars a year more, then we shall have gained a point, and the further we go in that direction, the better it will be for us. I may not live to see the day, as I am an old man now, but I trust that it will not be many years, until we are in such a position that, instead of having to go to England to borrow to pay our expenses, we will, by means of our exports, bring into the country so large a sum of money over and above our imports, that we shall be helping ourselves to live by ourselves. It may be all very well for the manufacturers of England to desire to keep us dependent upon them for our supplies. We know it is Brother Jonathan's desire also; and although he may sometimes show his teeth when we manifest a desire to protect ourselves, we need not be at all afraid of him. We have our own national policy to work out for the good of the people, and I trust that the course now being pursued, notwithstanding all that is said against it for party purposes, will prove to be the wisest and best policy that has ever been adopted in Canada.

Hon. Mr. RYAN—The feeling I have had in listening to this debate is that the motion is at least premature, and perhaps unnecessary altogether, for the reasons that have been assigned so shortly and so well by my hon. friend from Trent, who sits behind me. It appeared to me that in moving for a Committee of this sort, there should be some practical means suggested by which immigration can receive a new stimulus—an immigration particularly of the sort which is mentioned in the resolution. It was useless to go on making long statements as to the capabilities of our country, without any practical suggestion. In the course of the debate I listened with much interest to the various speeches which were delivered, hoping that some new plan might be suggested which really would give the proposed committee work to do, but I must confess that beyond the advantages and resources which we have all known we have possessed for years, and which we have been trying to utilize, we have heard of no new inducement for immigration, with the exception of the plan of a national policy which has been just established, and which, I think, is a very effectual one, but one which a committee of this sort cannot assist at the present moment. But in looking over the papers circulated amongst members during the recess, and enquiring into and considering the subject of immigration generally, it occurred to me that there is a valuable resource which has not yet been utilized, one which is intimately connected with immigration and colonization, and which, I think, would create a great interest in Great Britain, to say nothing of its interest to this country, one which would in time supply what England so materially requires, within easy reach,—a large quantity of bread-stuffs and food for her population, and at the same time offer to the mother country a place where her surplus labour might be usefully employed, and also furnish a market at our own door for the manufactures of the Dominion about to be created by our National Policy. My attention was more immediately called to this subject by reading a report which the Deputy Minister of the Interior made in the month of November last to the head of his department, upon the subject of colonizing the lands to the west and south-west of Hudson's Bay, and of reaching those lands from Europe by means of the navigation of that Bay.

Well, we are inclined to look upon the Hudson's Bay as very difficult of navigation, and, no doubt, it is so at certain seasons of the year, but I believe there are some months when it is open and easily navigated, particularly with steam vessels, which have not been tried there. The report to which I refer was made on the 11th November, 1878, to Sir John A. Macdonald, Minister of the Interior, by J. S. Dennis, his Deputy Minister. The appendices to the report, and the other papers connected with it, are voluminous, but still I would commend them to the consideration, not only of the hon. gentlemen I see around me, but also of the Committee, if one shou'd be appointed. The principal recommendation contained in this report, is as follows :—

"The undersigned thinks the subject of sufficient moment to justify the Government in taking steps to test the length of the s ason, and the character of the navigation in Hudson's Bay and Straits, and respectfully urges upon the Minister the expediency of despatching in the ensuing spring a steamer properly equipped and properly commanded, with that view."

There has been a great deal said about extravagance, and the impropriety of any expenditure that can be avoided at the present time, but it appears to me, that whatever this experiment might cost, would be an expenditure which would produce very quick results. If it should be proved by the expedition suggested in the report of Col. Dennis, that vessels can navigate Hudson's Bay with ease for even four months, or, as alleged by very high authority, for five months, and by another good authority, for six months of the year, it is easy to see, that if the fertile belt of country south and west of the Nelson and Churchill rivers—both of which afford good ports, the Churchill (which possesses an admirable harbor), especially, that if that country were peopled it would produce very quickly abundant crops for export. Then the great point would be to have a quick mode of transporting such crops to the various ports of Europe where such cargoes are so much wanted. By tram-roads, very easy of construction, the grain would reach the seaboard for shipment, and I hold a letter in my hand from a gentleman long resident in the North-West which says that he made the voyage from the Churchill River to London in twenty-eight days.

Hon. Mr. CAMPBELL—In a sailing vessel?

Hon. Mr. RYAN—Yes, in a sailing vessel. This is a very interesting fact. Last session a scheme was brought before a committee in another place, and a paper was laid on the table in which a plan for organizing immigration on a large scale from England was submitted. I shall read one or two extracts which will show in a short way what this idea is based upon: It says:

A plethora of people in the Mother Country and a redundency of available agricultural lands in its nearest dependency suggests emigration as a remedy especially advantageous to both countries. A close examination of the conditions of either forces a conviction that such an emigration, on a grand and organized system, must soon become an unavoidable necessity for it cannot be thrust on one side that the increase of population of the United Kingdom during the past ten years points to a similar progressive increase during the next decade, which would bring the population of the British Islands to about 38,000,000.

Such a result is, in many ways, so far from being desirable, that energetic steps must be taken to prevent it. One way of diminishing this prospective but disadvantageous increase may be found in the settlement on joint account of the area of arable land as large as the United Kingdom which the Dominion can now offer.

Well, gentlemen, it appears to me that the transfer of the surplus of such a population as that to our Western possessions which are difficult of access at present, would be greatly facilitated by the discovery that the navigation of the Hudson's Bay is practicable for steamers, five or six months of the year; and although it would in the first instance cost money to ascertain and establish how long that navigation remains open, and though I am as averse to spending money as any gentleman can be, yet it appears to me that the possible results would justify a reasonable expenditure, and that it is better not to be "penny wise and found foolish" in matters of such importance. I believe the results that would follow from its being ascertained that the navigation of Hudson's Bay and Straits is feasible, would be wonderfully prompt, and that England would be induced at once to purchase some of our lands in the North-west for her emigrants, with the hope of soon having returns for the expenditure, in the crops which would be raised there and sent to the Mother Country. I know that various rumors have been spread abroad that the navigation of Hudson's Bay is almost impossible; but they have originated I fear in interested quarters. The possessions in that direction have been kept a close borough, and I believe it would be found that the navigation is much easier than we have been led by the Hudson's Bay Company and others to suppose. I believe also that there are large deposits of mineral wealth in that region, and combined with the investigation of the Churchill Harbor, and the action of ice during the summer months in Hudson's Bay, a geological expedition might be sent to explore the region which high authorities say are very rich in minerals in that direction. I can state this from personal communication with Professor Selwyn, who also has information that the Hudson's Bay can be navigated for six months of the year. That is the extreme length of the season that I have heard any one give; and on

this subject Professor Selwyn is, in my opinion, a high authority. He also proposes that a geological expedition should be sent to accompany the party who would explore the Bay. The Government might also send parties to survey the mouths of the Churchill and Nelson Rivers, and to ascertain which of them afford the greatest facilities as a harbor. I believe that the Churchill River is the one that would be selected, and communication between it and the interior is quite easy by tramway. I may mention that the Churchill and Nelson Rivers, surprising, as it may appear to men who do not examine the matter closely, are a little nearer to Liverpool than is New York by sea. There is a map attached to this report, which shows that fact conclusively.

Hon. Mr. CAMPBELL—It is in the Arctic circle, I believe.

Hon. Mr. RYAN—Is it in a high latitude?

Hon. Mr. MACPHERSON—The distance is about the same as from Liverpool to Three Rivers.

Hon. Mr. RYAN—I believe that emigrants could reach Churchill River as quickly as they could get to Toronto, taking the present mode of conveyance, and calculating the average rate of speed of steamers. This project, I hope, is under the consideration of the Government, but I think that if a committee should be appointed here, this would be a fair subject for them to examine into and report upon. It would be a new outlet for the products of the North-West, and a new means of reaching the fertile prairie country which is so well suited, as an hon. gentleman has remarked, for English agricultural laborers. I think this would be one of the best subjects that such a committee as is proposed, could enquire into. At the same time I must confess, that as the thing would be an experiment in the first instance, I would suggest that it be left to the Government, and we might urge them to make the experiment, and test what the capabilities and facilities for commerce in the Hudson's Bay are. It would, no doubt, involve some expense, but if they should discover that we have in that sea the easy navigation, which I believe to exist there, I believe they could go to England, and make most advantageous terms for the transference by that route of the surplus population of the mother country to that rich part of the Dominion of Canada. At present the difficulties in the way of transporting a large population to the North-West are very great, and will be so until our railroads are finished. But there you would land the immigrants comparatively near the land they have to cultivate. The country is level, and the facilities are very great for laying tramroads, by which to carry them into the interior at once. It would be necessary to lay rails for the transport of their utensils, stock, machinery, etc. Whether the committee would think it worthy of their consideration or not, I hope that the Government will take it upon themselves to examine into it.

Hon. Mr. MACPHERSON—I named the distance—which I believed to be the correct one—between Liverpool and the Churchill or Nelson River. For many years I have believed that when a large population comes to be settled in our North-West Territories, the outlet for the cereals of that country will be by Hudson's Bay, if it is navigable for a sufficiently long period of the year, and I believe, from the information which I have obtained on the subject, that it is navigable for at least four and a half and perhaps five months. The Nelson River is the main outlet of Lake Winnipeg, which is the basin of the whole country between the height of land, fifty miles west of Lake Superior, and the Rocky Mountains. The Nelson River, I believe, has been navigated by the employees of the Hudson's Bay Company, probably by large batteaux. They brought heavy artillery in this way either by the Nelson or the Churchills Rivers. So much importance have I always attached to that route since we have become possessed of the North-West Territories that three or four months ago, when crossing the Atlantic, I asked the Captain, a skilled navigator, to lay down the course of a ship from Liverpool to the mouth of the Churchill River, and give the distance. He did so, and said that the distance was

about the same as to Quebec, perhaps a little more.

Hon. Mr. RYAN—I was only anxious to keep within bounds and not understate the distance. There is one point which I should have mentioned: it would be a particularly favorable latitude for transporting wheat and other grains. The cool waters and atmosphere of the northern region would preserve the wheat from injury in transit. We all know how grain suffers while passing through our warm waters at a hot season of the year, and how much is lost in consequence of the bad condition in which it is sometimes found when cargoes reach Liverpool.

Hon. Mr. MACPHERSON—The question would arise, if that should become an outlet for the products of the North-West, what would we do with our Pacific Railway?

Hon. Mr. MACFARLANE—During the recess I received a copy of that report by Col. Dennis, and perused it with deep interest. I had formed an opinion that the country bordering on Hudson's Bay was so utterly inhospitable that it was sealed up for ten months of the year, and that the barriers to navigation in that latitude were so great as to prevent almost all kinds of communication by that route. Professor Hind, who has given the subject a great deal of attention, has furnished a large amount of valuable information in connection with this report. He not only took a very strong interest in the subject, but, I think, he was examined before a Committee in another place last session. If it be true that the Hudson Bay Company were enabled with sailing vessels to navigate that water, what could be done with an improved class of vessels such as are employed in the seal fisheries of Newfoundland? It is well known that such vessels are enabled to contend with the heaviest floes of ice under any circumstances. If the Hudson's Bay Company can navigate those northern waters, for four months of the year, with sailing vessels, it would seem that nature has provided us with an important outlet for the products of half the continent. The hon. Senator from Victoria, in drawing attention to this subject, has done good service. The subject had escaped my attention since reading the report. If the matter can in any way be referred to the Committee which has been proposed by my hon. friend from Woodstock, there is no more valuable source of information from which they can draw. It is well known that in the mother land extraordinary distress prevails, and there are very large bodies of the population there which are now being thrown on the public charities, and bearing very strongly and heavily indeed on the country's resources. Many of those who are now almost inmates of the poor houses are a strong and sturdy people, and if means could be afforded them of earning a livelihood, if they could be brought out at a small expense to Canada, our great North-West might thus be populated in advance of the construction of the Pacific Railway. My hon. friend who has introduced this resolution has brought a matter of very great interest before the House, and we have had the opinions of a number of gentlemen on several important matters. My hon. friend who resumed the debate advocated a sort of political economy, that, from my reading, I can scarcely approve of. He said that it was a sure sign of the decay of our country when we were buying more than we were exporting. I think the experience of the world shows that a country may import very heavily without necessarily going into debt. Take an instance from this same Dominion. It is true that our exports may not at all come up to our imports, but hon. gentlemen must remember that there are some other large sources of wealth contributing to this country which public documents do not, and cannot, give a return of. Take, for instance, the shipping interest, It is well known that this class of property has been remitting, in the shape of bills of exchange, and returns from shipping very large amounts of money, which do not show in our returns as an export. It is quite true, that at the present time, that interest is somewhat depressed, but in the United States they have not got such an interest. They say there, that the shipping interest has been protected off the face of the waters, and they have no resources of that kind. Their exports have swollen very greatly. Nearly four-fifths of them are composed of agricultural products. They are mainly the produc-

tions of the soil, and they have not been able to show results of their shipping, because they are deriving no revenue from them. It does not necessarily follow that because we are importing more than we are exporting, that we are falling behind. It is true that our commerce with our friends across the border, show sad results—that the balance of trade is very largely against us. It is an alarming fact, and it is time that Parliament should investigate some system, and provide some measure by which we will be able to equalize the returns in our dealings with our neighbours, and show something nearer a balance sheet. If the adoption of this policy which has been inaugurated in this country, and which is looked to with such anxiety in every part of the Dominion, should succeed in better enabling us to square that account, we will be adding much to our wealth, as well as to the industries of the country. I quite agree with my hon. friend from Trent, (Mr. Flint), who spoke on this measure, that this is not a time to introduce a discussion on the tariff question. The subject has not yet come before us. When it does, I have no doubt we will be able to give it that fair and impartial consideration to which a subject of so much importance is entitled, and I trust we will not be deceived in the results which we expect to flow from it. The subject of immigration and colonization necessarily follow in the track of the new policy, and with the tariff before us we will be in a better position to discuss it.

Hon. Mr. RYAN—I find that I have made an error in my statement of the length of time occupied in the voyage from York Factory to London. Instead of 28 days I should have said that it took 19 days in a sailing vessel, and my informant says that the vessel was somewhat delayed by ice in the Straits. He states also that the mouth of the Churchill River is a magnificent harbor, abounding in salmon and other fish. As Professor Hind's name has been mentioned I may state that I have in my hand a letter from him, dated the 12th instant in which he states that great interest is taken in the Hudson's Bay project by several persons of influence in the United Kingdom, and he has arranged with a leading house in London to supply deep sea thermometers and other instruments, on their receiving a cablegram that the expedition will be proceeded with. I may mention also that allusion is made in this pamphlet to the magnetic light, which will add greatly to the safety of navigation in seas where floating ice is encountered. By means of this light, ice floes can be seen at a great distance. In testing the facilities for navigating Hudson's Bay, I think that no time ought to be lost. The expedition should leave at latest by the first of June, if the departure of the vessel is delayed later than that, it will be too late to accomplish anything this season.

Hon Mr. CAMPBELL—I think that I can safely congratulate my hon. friend from the Gore Division (Mr. Alexander) on the fact of having elicited a very interesting and useful debate. A variety of suggestions have been made which cannot fail to help the object which my hon. friend had in view, in proposing this resolution for the consideration of the House. I do not think that my hon. friend would be wise in endeavoring to carry the resolution or obtain the committee which it is intended to procure. It seems to me that his object has been attained by the attention drawn to the subject generally by the present debate. It would be very difficult, I think, for any committee which might be appointed to add anything to the information we have already received in the course of the present discussion, and through the reports of the several committees on emigration and colonization which have sat in another place. I have in my hand reports of three of these committees. They have examined witnesses and considered the subject in every possible way. The results of their labors are now on record, and I think that, so far as committees are concerned, all that can be accomplished has been done. But my hon. friend has elicited information here which is undoubtedly of great value, particularly, I think, that which has just been given to the House by my hon. friend for Victoria, (Mr. Ryan), and the information which has been furnished by the hon. Senator for York, who informed us that he had been directing the attention of the Canada Company, with which he is officially connected, to the advisi-

bility of endeavouring to send to this country a class of emigrants of which we have hitherto received only too few—the tenant farmers—who are not only as a rule, men of much agricultural skill and experience, but possessed also of more or less capital, which they could bring with them to this country. If the attention of a body so interested in the genuine prosperity of the Dominion, and having still so large a landed interest in Ontario, as the Canada Company, is directed to this subject, and they will assist the movement with the means, influence and machinery which they can employ, I am persuaded that they may do great service to this country, at all events to the Province of Ontario, especially Western Ontario, and may be instrumental in sending out to us, and in helping the Emigration Department to procure the class of emigrants which we want so much, and than which none certainly could be better suited for that portion of the country. I am obliged to say to the House that my hon. friend from Lunenburg does not speak for the Government, when he enunciates his theories as to the mode of strengthening our finances or of procuring money, and I am abliged, also, to say that my hon. friend from British Columbia (Mr. Cornwall) does not speak for the Government, when he says they are setting their faces against immigration, or not doing what is desirable for procuring immigrants. Having said this much, I think it may be useful to announce what will be the policy of the Government on that subject. Of course nothing is more important than the subject of immigration, and a wise policy in reference to it cannot but be useful to the country. The anxiety of the Government, so far as all the older portions of the Dominion are concerned, is not to encourage the emigration of any number of laborers or of those who, for want of experience or capital, cannot go upon land and cultivate it for themselves. To bring out such a class, so far as the older provinces are concerned, could not fail to be disastrous. We all know that the labor market in the older provinces is already overstocked, and it would be worse than folly to do anything to increase the number of persons who are now, without success, seeking for employment, not only in many of our cities, but even in many of the rural districts. That is the state of things in many parts of the country at this moment. At all events, it is so in Ottawa, in Toronto, in Montreal, and other cities of Ontario and Quebec. I will not speak for the cities and towns of the Maritime Provinces, but I am afraid it is also the case there. I know that there is a large floating population in this Province without employment, and, I am sorry to say, there is in consequence, in many parts of it, much distress and poverty. It would be folly to increase that distress by seeking to bring out more laborers to swell the numbers of the unemployed. That is not the desire of the Government.

Hon. Mr. CORNWALL—There is no distress in British Columbia. We have room for thousands of that class if they will come to us.

Hon. Mr. CAMPBELL—I have confined my remarks, so far, to the older parts of Canada—Ontario, Quebec and the Maritime Provinces. I do not think that in this portion of the Dominion there is anything to justify the Government in bringing out a mere laboring class of people. Now, with reference to British Columbia, Manitoba and the North-West, no doubt there are in those Provinces great fields for labor and bright prospects for the future. The time will come when they will be filled with a very large population, and, so far as the Government can safely stimulate immigration to those sections of the Dominion, they will cheerfully do so. But great care is needed. Take Manitoba and the North-West for instance. You cannot stimulate emigration there, unless you are prepared for it. You cannot throw a laboring population into that country, and leave them to seek their living there without providing for them in some way or other for one or two winters. You must take care to house and maintain them until they can support themselves. If you send such a population there, you must assume the responsibility of it, and if you do not assume the responsibility, you subject them to the danger of being frozen out or starved. All this must be considered before you stimulate, to any great degree, emigration to Manitoba and the North-West. With reference to British Columbia, it may be that in some

parts of the country the climate is less severe than in the North-West Territories. I know that is so on the sea coast. Whether it is also the case in the interior, where the hon. Senator, (Mr. Cornwall), lives, I cannot say; but I think the climate there is similar to that of Manitoba, and the Government must exercise great caution in stimulating a large emigration there. As I read the resolution of the hon. Senator from Gore Division, he is not, apparently, thinking of an agricultural population such as I have been speaking of, but of people who would come here to establish manufactories. That class does not require assistance from the Government of the Dominion. If men of capital wish to come here and establish industries in the Dominion, they will come for the reasons mentioned by the hon. Senator from Londonderry, because the tariff which has been introduced has opened avenues of wealth to them, which they will deem sufficiently attractive. They will come for their own purposes, and not because of anything that can be done by the Department of Agriculture to encourage them. Now, I desire to say a word or two with reference to some remarks which fell from my hon. friend from Saugeen, (Mr. Macpherson), respecting the character of the last report of the Minister of Agriculture. The House will remember that he was followed by my hon. friend opposite, (Mr. Pelletier), whose remarks commended themselves to the good sense of the House, because they showed that he was interested only in the prosperity of the country, and glad to see it advance, even if it should be through the policy of the present Government. The precise point of the report, to which my hon. friend from Saugeen drew attention, was the credit taken by the Minister of Agriculture for the population coming in from the United States. That was objected to last session by my honorable friend, who has repeated his objection to-day to this report. My hon. friend opposite, (Mr. Pelletier), says "you see this has been continued under the present Administration." Although that is a fact, yet it is not the result of the decision of the hon. gentleman who has now charge of that Department, and the Government does not wish to take credit to the Department of Agriculture, or any of its agents, for arrivals by the Suspension Bridge, or any other avenue from the United States. That is an immigration which is not due to the exertions of the Department, but to other causes, and which ebbs and flows. The late Government maintained two emigration agents in the United States, one at Chicago, the other in the New England States. We have dispensed with the one in the West; the other is retained and is endeavoring to procure the re-patriation of French Canadians to Lower Canada from New England. The Minister of Agriculture is endeavoring, and his endeavors have, to a considerable extent, resulted in successful action, to reduce the expense of his department. He has diminished the number of agents in Europe by six or seven, and curtailed the expenses of his department here as far as it was, apparently, reasonably possible to do for the moment. When the results of his operations for the year are submitted to Parliament, they will see that there has been a considerable reduction in the expense of the Department of Immigration. Certain pledges which have been given by the Government must be maintained, which involve the placing of a considerable sum in the estimates. Promises were made some years ago by the hon. gentleman who was then, and is now, at the head of the Department, for the purpose of procuring an immigration of Mennonites, These promises are still in force, and may render the expenditure of a good deal of money necessary in that field. The Government may be called upon to help to pay the expenses of another large migration of Mennonites from Southern Russia to Manitoba. That is a possible expenditure. Then a system of helping passages is still in force to a certain extent, and must continue. The class of persons to be helped will diminish in number. It is not contemplated to assist those who can help themselves, but it happens, to some extent, that persons with small capital and some knowledge of agriculture, will come to this country if they do not find that the expenses attending the passage are too great, and pull too heavily upon their slender resources. It may be necessary to assist them to a small amount, but the general policy of the Government is to diminish the expenditure of the Department, not to assist a purely

laboring class of emigrants to come to this country in the present state of our finances, and to endeavor to get the class of tenant farmers which has been referred to in this debate, to settle in the Dominion. With reference to the navigation of Hudson Bay, I may state that the first I heard of that was from my hon. friend the Senator for Saugeen, some years ago, but I think my hon. friend from Victoria under-estimates the difficulties of communication between any place on the shore of Hudson's Bay, and the fertile valleys of the North-West. There is a distance of four or five hundred miles which must be traversed in some way, and I do not think that for business purposes the rivers can be ascended by batteaux.

Hon. Mr. MACPHERSON—I did not suggest that as a means of transportation now. I simply stated that the Hudson Bay Company used that route.

Hon. Mr. CAMPBELL—Yes, and the original settlers who accompanied Lord Selkirk went by that route, and no doubt communication was kept up that way for a long period. The goods sold by the Hudson Bay Company were carried that way.

Hon. Mr. RYAN—They go that way still.

Hon. Mr. CAMPBELL—I think the bulk of the importations of the Hudson Bay Company is not by that route, but comes from the south. There are two ships sent that way every year which take out goods to the North-West and return with cargoes of furs. But there are four or five hundred miles to be overcome between the Hudson Bay and the places where those people could settle, so that my hon. friend from Victoria is mistaken in supposing that the fertile tracts to which he refers are on the coast of the Bay.

Hon. Mr. RYAN—I believe it will be found that a little way up the Churchill and Nelson Rivers fertile land exists.

Hon. Mr. CAMPBELL—I do not know about the Churchill River, which is far away to the north. That is in the Artic Circle, and I do not think any emigrants will settle there.

Hon. Mr, RYAN—It is three degrees at least from the Arctic Circle.

Hon. Mr. CAMPBELL—That would be 180 miles south of the Arctic Circle, and it is a pretty cold country to settle in. The subject is one very well worthy of enquiry. We are to bear in mind, however, that even if the navigation of the Hudsen's Bay is open for six months of the year, and if we could go safely and securely there, there would be a long distance to go before you could get to the cultivable and available lands of the Norwest, and there must be a very considerable expenditure of money to establish railway communication between the mouth of the Churchill River and the fertile belt. It must also be borne in mind, as suggested by the hon. Senator for Saugeen, that whatever we do in that direction, is diminishing the usefulness of the Pacific Railway, and the receipts which may be expected from it, and would also be the means of diverting the exports and imports from this part of Canada to another channel in which we have no special interest. So far as business would be concerned, it would be of no benefit to the inhabitants of this part of the Dominion. At the same time we are desirous of obtaining any information that we can on the subject; and the paper which has been read, and the whole matter is under consideration, is to be discussed very shortly by the Government for the purpose of deciding whether it is worth while to make the proposed experiment or not. The subject has not been overlooked, and the Government will do the best they can in the matter, in the interests of the country. I hope that my hon. friend who has originated this discussion will not press for the appointment of the committee, which I do not think, under the circumstances, can suggest anything useful. He has attained the object he had in view, and I hope he will act upon my suggestion.

Hon. Mr. ALEXANDER—I hope that the House will grant me the usual privilege of replying to the arguments of the different members who have spoken upon this motion. What has led me to venture to occupy so much of the time of

the House, is a clear and deeply seated conviction, that some such action as I have presumed to point out,—some such combined and united action on the part of the Government, the Parliament, and the press, will be required to make the new trade policy a success. This House can perfectly understand that the most able and statesmanlike policy may not for a time be successful, from the malignant workings of a well organized Opposition, whose whole and sole object is to obstruct every movement of the Government, whether right or wrong—who, to accomplish party defeat, would sacrifice the well-being and happiness of the people. At this very moment it is melancholy to glance over the columns of the Toronto *Globe*, the leading organ of one of the great parties of this country. There we behold with sorrow such an infuriated partisan spirit, in its most hideous shapes and forms, sowing the seed of discontent amongst the poor and unenlightened, trying to infuriate different classess of our people, in the vain hope that the new trade policy can be blocked and rendered inoperative. As I have, upon a former occasion, endeavored to show, the new tariff when matured by Parliament and placed in the Statute Book, cannot fail to be a success—cannot but bring prosperity to all classes ot our people, if they will not suffer a powerful partisan organ to lead their judgment astray,—if they will give the new Policy a fair trial,—if they will patiently wait the necessary time, to see all the happy results, which, in the short period of two years, must necessarily flow from the wise and far-seeing principles now presented to the country. As a matter of course, the new tariff will be found for a time, perhaps, somewhat oppressive, but only for a limited period. Those classes who complain of this must remember that the Minister of Finance has to raise $2,000,000 more revenue so that there shall be no longer a deficit, and they must further remember, that in a very short time there will soon be under the new regime, employment for all the poor, and most probably at increased wages. All classes will, if not directly, they will certainly indirectly, in different ways, be benefited by the impetus given to all our domestic industries. And it is because I feel that the Senate of the Dominion, by its consideration and discussion of the whole question, and by work which could be done by its committees, can very materially aid the Government in accomplishing the desired object, in inducing some of the large manufacturers in Great Britain and the United States to establish in our Canadian cities some of their workshops at an early moment, so as to secure to our people the boon and the blessing of sufficient competition in our own workshops, so that we shall have no monopoly prices, but only fair and reasonable prices for every thing which enters into the daily consumption of the people. It is to bring about this desired result, at the earliest moment, that I am begging the House to grant me a committee. The members of this Chamber will have a pride and pleasure in having their labors associated with so high and laudable an object as raising this country up from the slough of despond, in which it now is, to a a position of commercial and self-sustaining independence—a position, when we shall see the whole of our population employed, and we shall be supplying from our own workshops, and by the industry of our own mechanics, the general wants of our Dominion. I will now, hon. gentlemen, be very brief in replying to some of the arguments of those who have spoken. The hon. Senator from Londonderry, who spoke first, opened with prefatory remarks so significant and weighty, that he led the House to expect from him a deeply interesting exposition of his views upon the whole question. He can best inform us why he has disappointed so many who estimate highly his judgment. The hon. Senator from British Columbia (Mr. Cornwall) called our attention to the manner in which the new trade policy would develop important industries in his own section. We never listen to his speeches without feeling the value of early scholastic training in one of the best universities of the world. The hon. Senator for Lunenburg will, no doubt, seek an early occasion to unfold further to Parliament than he did to-day his views upon that occult science, which, I confess, that my limited ability has not yet enabled me to grasp. Now, in regard to what fell from some other members, I may state, that it was no part of my purpose to cast reflections upon the lat

Administration. This House always desires to be distinguished for its non-partizan action. Then, again, it was no part of my purpose to induce the Government of the day to incur expenditure in bringing at this moment, to the Dominion, masses of agricultural emigrants. The best parts of the old provinces are for the most part settled, with the exception of the Muskoka Territory, in which the land is said to contain about 60 or 70 per cent. fit for arable purposes. And, as regards that portion along the Georgian Bay Branch Railway, the Senator from Belleville opposite (Mr. Read), can best enlighten the House. I now come to the remarks which fell from the gentleman from Prince Edward Island (Mr. Haythorne), who always takes a practical view of every commercial question he approaches. I agree with him that our new policy will not be approved by the manufacturers of England, and will be very unpopular with them. Senator Trudel always seizes some practical point with great assiduity, although he speaks in a language foreign to him. And now I must not pass the able and practical speeches of the hon. gentlemen from Belleville (Read and Flint), who are always earnest, and untiring in their efforts to secure wise and honest administration. They are both practical men, who have been largely engaged in enterprises of considerable magnitude, and their opinions must carry weight.

Hon. Mr. McLELAN—The hon. gentleman has not referred to the speeches of the two Senators from Toronto, (Macpherson and Allan.)

Hon. Mr. ALEXANDER—I regretted that those two hon. gentlemen did not see fit in the course of their remarks to touch the great subject or question involved in this motion, and therefore I did not consider it necessary to refer to them in my remarks. But we must all thank the hon. gentleman from Montreal (Mr. Ryan) for introducing a new subject for the consideration of a future committee, although it was surrounded by enormous difficulties. And I have now only to reply to the very able speech of the leader of the Government, (Mr. Campbell), who appeals to me to withdraw or postpone my motion for a committee. The fact of committees in another quarter, having reported during the former Parliament, upon various subjects, prior to the inauguration of the new trade policy, does not surely serve to shew that we cannot now accomplish any good, in discussing and considering the future of our commercial prospects, and how we can aid in the great work in bringing prosperity to all classes of our people. I have always in the past found the hon. gentleman a very safe leader; that he has ever studied to steer clear of any partizan course, and have therefore considerable reluctance in urging the Chamber to resist the wish expressed by the hon. gentleman, that I should postpone this motion.

Hon. Mr. RYAN—I may not have stated my views very clearly, but I think I mentioned that by the use of tramroads the fertile region could be reached very easily from the mouth of the Churchill or the Nelson River. Great precaution must be used in accepting the evidence of parties who are settled there, or who have lived there as officers of the Hudson Bay Company, because the object of the Company, who have had possession of that place is to keep others out of it. I have a letter in my hand from a gentleman who lately conversed with one of the Hudson Bay officials. He described the fishing in that region as something extraordinary. In one day he has seen hauled in with two nets over six hundred salmon, close to York Factory. What I want to explain is this: that there are great facilities for having wharves and other means for shipping grain at the mouth of the Churchill River, and by means of tramroads of two or three hundred miles the fertile belt could be reached.

Hon. Mr. ALEXANDER—I have only to say in conclusion that I feel deeply the importance of this question, and I hope the House will permit me to move the adjournment of this debate until the 14th day of April next.

Hon. Mr. CAMPBELL suggested that the hon. gentleman had better withdraw his motion.

After some conversation with the consent of the House, the motion was withdrawn.

THE CAMPBELL DIVORCE CASE.

AN EXPLANATION.

Hon. Mr. DICKEY called attention to the fact that in the discussion that had taken place on the reading of the petition of Mrs. Campbell, the objection had been raised that the 74th rule had not been complied with. The rule required that when proceedings in any courts of law have taken place prior to the petition, an exemplification of the proceedings to final judgment shall be presented to the Senate on the reading of the petition. His opinion was that that rule did not apply to proceedings before the Court of Chancery. But even if it did, the exemplification of the proceedings in Chancery was already in the possession of the Clerk of the House, and it would really be a denial of justice to prevent the petition from being read, as there was a risk of its otherwise being delayed until it was too late in the session.

Hon. Mr. KAULBACH considered his hon. friend was out of order in bringing this subject before the House again after it had already been decided.

Hon. Mr. MILLER said it appeared to him there was very little room for doubt that the 74th rule included proceedings in the Court of Chancery.

After some conversation the subject was dropped as it was considered the House had already decided the question.

BILLS INTRODUCED.

The following Bills from the Commons were introduced and read the first time.

Bill (20) "An Act to amend the Act 41 Victoria, Chapter 29, intituled, 'An Act to revise and amend the Act incorporating the Montreal and Champlain Railway.'" (Hon. Mr. Ferrier.)

Bill (12) "An Act to authorize the Welland Railway Company to convert their six per cent. mortgage bonds into five per cent. debenture stock, and for other purposes." (Hon. Mr. Benson.)

The House adjourned at 6.15 p.m.

THE SENATE.

Friday, March 28th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

CANADIAN PACIFIC RAILWAY WEST OF LAKE SUPERIOR.

MOTION FOR COMMITTEE.

Hon. Mr. MACPHERSON moved:

That a Select Committee, composed of the Hon. Messieurs Campbell, Scott, McLelan (Londonderry), Girard, Haythorne, Cornwall, Penny, Christie and the mover be appointed to enquire into all matters relating to the survey, location and construction of the Canadian Pacific Railway, and Telegraph west of Lake Superior, with power to send for persons, papers and records, to take evidence under oath, and to report to this House from time to time.

He said: I am induced to ask the House for this committee because I am credibly informed, and have reason to believe that the construction of the Pacific Railway, so far as it has proceeded, has cost the country much more than was estimated. The House knows that the survey of the road was very costly, and there must have been some very extraordinary circumstances to excuse a material increase of the expenditure over the estimate. We have at Ottawa the means of getting information on the subject from the engineers.

Hon. Mr. CAMPBELL—I think it will be, perhaps, convenient, if my hon. friend from Saugeen will state the scope of the enquiry, as he has it now in his mind, and how far the committee would be under the necessity of sending for witnesses from any long distance also, whether or not the enquiry which he desires to have made really relates to the section between Lake Superior and Red River, as I apprehend it does, or whether it is, as the notice literally means, the whole of the route west of Lake Superior to the Rocky Mountains and the Pacific Coast. I hope my hon. friend will not require to send a considerable distance for witnesses. An enquiry into the location and construction of the road west of Lake Superior, and east of the Red River,

could, perhaps, be made conveniently and without any loss of time, and some result might be obtained during the present session.

Hon. Mr. MACPHERSON—I think I stated that I believed all the evidence, or pretty nearly all—such as I desire to obtain—can be procured here in the Engineers Department. There is another engineer whom I should like to have examined, and he happens to be in Ottawa now. I should hope that he would be examined in time to get his evidence without expense to the country. The enquiry which I propose is really intended for the line which the hon. gentleman has named—between Lake Superior and Red River. To that I propose to confine myself principally. I made the scope of the enquiry wider, because I did not know but some member of the Committee might desire further information, when the witnesses were before them, respecting other portions of the line further west, I desire to enquire into the construction of the Telegraph west of Red River. I do not think of bringing any witnesses from a distance. The enquiry which I desire to make relates to the section of the railroad between Lake Superior and Red River and to the Telegraph line.

Hon. Mr. CAMPBELL—Then, hon. gentlemen, the Government have no objection to the appointment of the Committee.

The motion was agreed to.

BILL INTRODUCED.

Bill (24) "An Act to amend the Act incorporating the Kingston and Pembroke Railway Company." (Hon. Mr. Hamilton—Kingston.)

The Bill was read the first time.

DOMINION LANDS APPROPRIATION BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (1) "An act to explain and amend the Act respecting the appropriation of certain Dominion lands in Manitoba." He explained that a difficulty had been found in carrying out the provisions of the Act which it was intended to amend, inasmuch as the grandchildren of those persons who were entitled to land were not referred to in the Act. They could not take advantage of the scrip to which their grand-parents were entitled. This Bill was to give those people the advantage of their grand-parents' rights as to land and scrip.

The Bill was read the second time.

INTERNATIONAL BRIDGE COMPANY'S BILL.

SECOND READING.

Hon. Mr. FERRIER moved the second reading of Bill (11,) "An Act respecting the International Bridge Company." He explained that the object of the Bill was to increase the capital of the Company.

Hon. Mr. HOPE wished to know the reason why this Company's capital should be increased from $1,500,000 to $3,000,000. The House should understand what effect it might have upon the railways in the west. There was a petition from the Canada Southern Railway Company before Parliament, saying that if this Bill should become law it would be prejudicial to their interests. It had been understood and agreed upon that each Railway Company which used the bridge should pay a certain rental to the Corporation which owned it. If the capital should be increased there would be a proportionate increase of the rate charged to those railway companies, and it might prove very prejudicial to commerce in the western part of Ontario. He desired to call attention to this matter before the Bill was read the second time.

Hon. Mr. FERRIER said that the bridge had cost $2,000,000, of which $700,000 was unpaid. There were no funds in the hands of the company to make repairs to the structure in case of accident, which might occur any day, on account of the drawbridge and the number of vessels passing there continually. Therefore, the company asked that its capital be increased from $1,500,000 to $2,500,000

(not $3,000,000), and there was no reason why their application should be refused. Three or four railway companies used the bridge, and there was a great deal of traffic upon it, and there ought to be funds on hand to make repairs to such an important structure in case an accident should occur to it. In a committee in another place, objections had been raised similar to these which were now urged by the hon. Senator from Hamilton. They had been met there, and the Bill passed through the other branch of the Legislature. An opportunity would be offered to anyone who objected to the Bill to state their objections when it came before the standing committee of the House.

Hon. Mr. HOPE suggested that this matter should be understood between the various companies interested in the bridge, before the Bill was passed.

Hon. Mr. FERRIER said that the only objection which had been raised had come from the Canada Southern Railway Company, and he understood that they had united with the other companies.

Hon. Mr. MILLER said that this was a private Bill which had been presented in the other House in the usual form, and brought to its present stage. If there was any objection to it, such as the hon. gentleman seemed to consider important, the proper time to urge it would be when the Bill was before the committee. The proposition to attach conditions to it on the second reading, was unusual.

The Bill was read the second time.

THE CAMPBELL DIVORCE CASE.

READING OF THE PETITION FURTHER POSTPONED.

The Order of the Day being called :—

"Reading the petition of Eliza Maria Campbell, praying for the passing of a Bill similar to that passed by the Senate in 1877, providing for her separation as to bed and board, from her husband Robert Campbell,—(Hon. Mr. Reesor),

Hon. Mr. ALLAN asked if the hon. gentleman had submitted the affidavit of the service of notice on the respondent?

Hon. Mr. REESOR—It was handed in yesterday.

Hon. Mr. CORNWALL asked if the exemplification of proceedings before the Court of Chancery had been laid upon the table with the petition ?

Hon. Mr. REESOR said that the exemplification of the proceedings before the Court of Chancery was in the possession of the House at present, and the Clerk was ready to lay it upon the table whenever the House desired him to do so. The documents were the property of the House, and had been so for the past two or three years.

Hon. Mr. KAULBACH contended that the hon. gentleman had not yet complied with the rule of the House in this matter. The rule required that the exemplification of proceedings in chancery should be presented with the petition, and the hon. gentleman had neglected to do so. It would appear as if the hon. Senator was endeavoring, if possible, to avoid the presentation of this document—he could not understand what other object he had in view. The exemplification to which the hon. gentleman had referred was evidence in another case, and could not be used in this instance until such time as it was properly brought to the notice of the House. The hon. gentleman should ask for an order of the House to produce those papers and submit them with the petition. Until he should do so the only course which the House could pursue was not to receive the petition.

Hon. Mr. ALLAN said that he should be very sorry to interpose any frivolous objections in this case, but the rules of the House should be carried out in the manner the House directed. The 73rd rule required proof on oath of the service of notice, to the satisfaction of the Senate. It did not appear to him that the hon. Senator had complied with that rule by simply moving that the petition be read and stating that the affidavit of the service of notice on Mr. Campbell was in the possession of the House.

Hon. Mr. CAMPBELL thought that his hon friend was quite right ; the first step should be to read the affidavit.

Hon. Mr. CORNWALL considered that in addition to this the hon. gentleman should move for an order of the House that the exemplification of proceeding in the Court of Chancery be laid on the table of the House before the petition was read.

Hon. Mr. CAMPBELL—That is the next step.

The certificate of service of the notice upon the respondent was then read by the Clerk.

Hon. Mr. MILLER repeated what he had stated yesterday, that he had no desire, in the course of these proceedings, to offer any technical or factious opposition to this Bill; but the rules of the House should be strictly adhered to. They were very simple, and there was nothing complicated about them. He was only surprised that the hon. gentleman who had charge of this matter seemed to have bungled it from the beginning up to the present time. He, (Mr. Miller), had watched his management of the case from the first, and if the hon. gentleman had really desired to frustrate the object of the petition, and to throw obstacles in the way of the petitioner, he could not have adopted a course better calculated to produce these results. If gentlemen who had some regard for the rules of the House objected to a violation of them, he did not think that they should be attacked, and represented as interposing technical or factious opposition to the proceedings. The document which had just been read by the clerk was a declaration made under an Act, which provided for the taking of extra judicial oaths. The rules of the House expressly required that the proof of service of the notice should be given under oath. The very title of the Act, under which the declaration that had just been read was made, ought to show the hon. gentleman that it was not applicable to this case. This was not an extra judicial, but a regular judicial proceeding, in a court of competent jurisdiction for the purpose of this application. Therefore, to submit such a document, was no compliance whatever with the rule, which required proof on oath of the service of the notice on Mr. Campbell. Then, with regard to the exemplification of proceedings in the Court of Chancery, it was not on the table of the House. The proper course would have been to have taken steps to have it laid on the table of the House, but the hon. gentleman had not done anything of the kind. When he had neglected to take the proper course, although it had been pointed out to him a dozen times, he had no one to blame for the result of his negligence but himself. He (Mr. Miller) was obliged to object to the reading of the proof of service on the respondent. The hon. Senator could not expect the House to overlook every violation of the rules.

Hon. Mr. REESOR did not suppose that the hon. gentleman believed that he had prepared that proof of service, or had employed an attorney to prepare it. The certificate had been sent to him in the same manner as the petition. He had no doubt himself, and he was so advised, that the extra judicial oath had been taken according to the laws of Ontario. Of course it was for the Senate to determine whether that evidence of service was sufficient. If it were not, the House might order that the party who had served the notice be brought before the bar of the Senate to declare on oath whether he had done so or not, but it was not likely tha the Senate would insist upon the party who made this declaration coming before the bar of the House to state on oath what he had already stated in this declaration. He would like to know the feeling of the House on the subject in order that he might be able to decide upon what course he should adopt.

Hon. Mr. DICKEY considered that the case lay in a nutshell. It was simply a question whether the same efficacy was given to a statement made according to the terms of that Act as to one made under an oath. That question could only be determined by referring to the Act itself.

Hon. Mr. POWER did not think that the question before the House was exactly what had been stated by the hon. gentleman who had charge of the petition. The 73rd rule expressly declared that the evidence of the service of the notice upon the respondent should be

made on oath. Now, that evidence had not been furnished, and the declaration which had been produced could not be received by the House, The Act respecting extra judicial oaths only applied to proceedings that were not judicial, and there could be no question that the proceedings in a case of this kind were of a judicial character. The only question before the House was whether they were willing to suspend the 73rd rule in favor of Mrs. Campbell, and, as he understood it, the consent of the House to that course must be unanimous.

Hon. Dr. CARRALL said that the 73rd rule referred to Bills of divorce; now, this was not a Bill for divorce, it was a Bill for separation.

Hon. Mr. MILLER said that the rule required proof on oath, and if the hon. gentleman should put such a motion as he had suggested before the House, it would be an extraordinary course to pursue. He might as well ask the House to say that this rule did not exist.

Hon. Mr. REESOR called attention to the report of the committee upon Mrs. Campbell's preliminary petition, in which they recommended the suspension of certain rules in her behalf, and asked whether that did not include more than the two rules specially mentioned. The petitioner had prayed for the suspension of such rules of the House as would prevent her prosecuting her claim, and he contended that the House had granted her request by adopting the report of the committee.

Hon. Mr. MILLER—That does not suspend the 73rd rule.

Hon. Mr. REESOR said that if the laws of Ontario prevented the making of an affidavit except in this particular form, he did not see why the declaration that had been submitted should not be accepted.

Hon. Mr. ALLAN did not think that the hon. Senator had any excuse for the mistake which he had made, because his attention had been called, when the preliminary petition was referred to the committee, to the fact that evidence of the character of this declaration was not sufficient. The difficulty in that instance had arisen from the fact that the matter had been referred, in the usual way, to the committe on Standing Orders and Private Bills, and he, as chairman of the committee, had no power to administer an oath. On that occasion he had suggested to the hon. gentleman that he should get affidavits to prove what he desired to submit to the committee. When these affidavits came up, they were found to be merely declarations of a similar character to this one; but, under the circumstances of the case, the committee had allowed them to go.

Hon. Mr. MILLER said that the explanation of which had just been given of what had taken place before the Committee left still less room for excuse for the hon. gentleman's (Mr. Reesor's), remissness on this occasion. In that Committee, he (Mr. Miller), had contended that the proper course would have been to have got permission from the House to administer oaths, and for the Committee to take evidence to justify them to grant the prayer of the petitioner to permit her to sue *in forma pauperis*. The Committee, however, had a right to consider that the evidence before them was sufficient for allowing the first petition, and they did so; but the hon. Senator (Mr. Reesor), had that notice of the character of the evidence which was required, and he was greatly to blame for not having taken care to have prevented a recurrence of any similar objection. He entertained an opinion that the intention of the House in framing this rule was to require that the proof of the service of the notice should be furnished under oath at the Bar of the Senate by the party who served it. That practice had prevailed until some time after Confederation, but of late years the Senate had allowed the petitioner to submit an affidavit of the service of the notice. But to say that they could substitute a declaration for an affidavit on oath was going too far. This was a judicial proceeding and did not come within the purview of the Act relating to extra judicial oaths. To admit this declaration, would be so complete a departure from the rule of the House that it would be better to strike it out altogether. Nothing could be worse than to have a rule

which was essential and a proper one, but which was disregarded under temporary feeling or from any other improper consideration.

Hon. Mr. DICKEY said that the object of the statute was to suppress voluntary and extra judicial oaths, and that object was carried out in the first section of the Act, though there seemed to be considerable confusion in the first clause. The question was, did those proceedings come under the Act? This was not an oath required by the laws of the Dominion of Canada, but by the Standing Orders of the House.

Hon. Mr. MILLER contended that the whole scope, object and language of the Act excluded from its operation anything like testimony intended for a judicial investigation, and it made no difference whether this oath was required under a rule of the House or under a statute. This House was empowered by law to make that rule, and after the rule was made under authority of law, it was as much a law itself as if it were passed by the three branches of the Legislature.

Hon. Mr. CAMPBELL quite agreed with the construction that the hon. gentleman from Richmond had put upon the statute. Formerly the practice had sprung up of persons going to magistrates to take extra judicial oaths. He might mention a case that had occurred recently. A party who was a strong supporter of a member of the House of Commons was accused of having voted for his opponent, whereupon he went to a magistrate and took an oath that he had not voted as had been stated. This was a non-judicial oath that ought not to have been taken, but the statute did not prevent magistrates from administering the oath to persons who came before them for a proper object. He believed that in this case the witness should be examined at the bar of the House.

Hon. Mr. DICKEY contended that if his hon. friend would refer to the Act again he would see that it provided for a solemn affirmation being taken in places where it was necessary.

Hon. Mr. CAMPBELL said that the class of cases referred to did not come within this rule; all judicial proceedings were exempted from the operation of this Act.

Hon. Mr. MILLER said the express language of the rule required that the proof of service should be certified to under oath—strictly speaking, that testimony should be given under oath at the bar.

Hon. Mr. FLINT was sorry that his hon. friend who had charge of this matter had not felt inclined to consent to the wishes of the House in this proceeding, or at least to take the advice of those legal gentlemen who had given their opinion on the matter after careful study of the law.

Hon. Mr. REESOR said that the legal gentlemen were themselves divided in opinion on the subject.

Hon. Mr. FLINT thought that his hon. friend was decidedly wrong in the course he had taken. He should have yielded to the advice of gentlemen learned in the law, as to the proper mode of procedure. He would then have had the matter before the House in such a shape that these objections could not be taken. Under the circumstances, the hon. gentlemen should not press the House to a division on this question, but should withdraw his motion, with the leave of the House, and commence anew.

After some discussion of a conversational character,

Hon. Mr. REESOR, with the consent of the House asked that the order be discharged, and that it be made the first order for Monday next.

The order was discharged accordingly.

Hon. Mr. REESOR then gave the necessary notices.

MONTREAL & CHAMPLAIN JUNCTION RAILWAY CO'S. BILL.

SECOND READING.

Hon. Mr. FERRIER moved the second reading of Bill (20), "An Act to amend

the Act forty-one Victoria, chapter twenty-nine, intituled: 'An Act to revive and amend the Act incorporating the Montreal and Champlain Junction Railway Company.'"

The motion was agreed to and the Bill was read the second time, and referred to Committee.

BILL INTRODUCED.

Bill (23) "An Act to incorporate the *Gazette* Printing Company." (Hon. Mr. Ferrier.)

The Bill was read the first time.

The House adjourned at 4.45 p. m.

THE SENATE.

Monday, March 31st, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE HALIFAX MAIL SERVICE.

INQUIRY.

Hon. Mr. POWER asked:

Whether it is the intention of the Government to make provision in the Supplementary Estimates for the continuation of the subsidies to the fortnightly mail steamers between Halifax and Queenstown, and the steamer plying between Halifax and St. Pierre, *via* Sydney, Cape Breton?

He said: On looking over the estimates for this year, gentlemen from the Maritime Provinces will have noticed with a feeling of regret, that the sums which appeared in last year's estimates for the payment of a subsidy to the mail steamers running from Halifax to Queenstown and Liverpool, and from Halifax to St. Pierre, N.F., have been omitted. To those who know anything at all about the importance of continuing the subsidies for these services, I need not make any excuse for bringing the matter before the notice of the Senate. Two sessions ago it was discussed at considerable length in this House. I do not think that it is necessary to repeat what was said at that time, but I shall briefly call the attention of the House to some of the leading arguments in favor of the continuance of these subsidies. In the first place, the subsidy to the mail steamers which carry the fortnightly mails from Halifax to Liverpool, differs from almost any other similar grant. It is not a grant which is now asked for the first time, nor even one which has originated since Confederation, but it has been going on for about thirty-nine years; and when a service has been continued so long, giving satisfaction to all interested, and without any complaint against it, the circumstances which would lead the Government to withdraw the subsidy should be very serious indeed. I hold that there is no reason why it should be withdrawn. The advantages of this service to the people of the Lower Provinces are very great. In the first place the principal part of the mail matter for Nova Scotia, Prince Edward Island, Bermuda, and the West Indies, all the passengers who come to Halifax in summer time from the old country, and all the passengers to Bermuda—come by the fortnightly steamers. In addition to that, these vessels run to Baltimore, and carry many passengers from Halifax to that city and *vice versa*. The line is particularly useful in the transportation of freight between the old country and Nova Scotia; because it is more convenient and much cheaper than bringing it by way of Rimouski. In fact, freight is never landed at Rimouski, but is carried through to Montreal. Practically, the fortnightly steamer is the only reliable means that we possess of bringing freight from the old country—except by sailing vessels—to the Lower Provinces. It is true that there are other steamers which occasionally call at Halifax with freight; but there is no regular line—nothing that can be relied upon. If this subsidy should be withdrawn, and the Allan steamers should not call at Halifax during the summer time, it would cause great inconvenience in the Lower Provinces. We naturally ask, what were the reasons which induce the Government to omit these subsidies from the estimates. One ground, probably, is that the mails could be brought as easily by way of Rimouski. It is true that they would come nearly as ra-

pidly that way, but not nearly so fast as they could be carried by the direct line if the Company were obliged, as they should be, to put on as good boats to Halifax as to Rimouski. But, even if the mail service could be performed as well by one way as by the other, it seems to me that that is not a sufficient reason for withdrawing this subsidy. When we consider that the direct mail service to Halifax has been in existence nearly forty years, and the other is comparatively a creature of yesterday, I think that the former has at least as strong a claim to be continued as the latter. When one looks at the comparatively trifling amount which the Government is asked to contribute, there is no substantial reason to be found for discontinuing the service. The ground would probably be taken that the Government have not the money for such a purpose as this. I do not think that this ground can be very successfully maintained. In the first place, it has been said that the money could not have been granted at all, unless it were for a mail service. I fail to see the force of that argument; because there is nothing in the British North America Act, nor in any other Act that I know of, which prevents the Government from subsidizing lines of steamers to other countries, and, practically, the Government of the day does subsidize vessels which are not necessary to carry mails at all. I find, on looking at the estimates for the present year. under the head of Ocean and River Service, in addition to the fact that this $19,770 formerly granted to the fortnightly mail service, and the $5,000 for the service between Nova Scotia and St. Pierre, have been discontinued, that there is inserted for this year a new subsidy which has not appeared in the estimates of any previous year; and it is one to which I beg to direct the attention of the House. It is a subsidy of $10,000 to a steamer which runs from Campbellton to Gaspé. This is double the amount which has been paid to the vessel which runs from Nova Scotia to St. Pierre. Practically, this service which is subsidized this year, is limited to a single Province, because, although Campbellton is in New Brunswick, it is on the borders of Quebec; and the service will benefit only the counties of Gaspé, Bonaventure, and, to a certain extent, Restigouche. It is altogether unnecessary for mail service, because there are already good roads there on which the mail service has been well performed hitherto. I think if the Government can devote $10,000 for such an insignificant service, that much more must they have money for the two services to which I have particularly referred. On the same page I find that the sum of $10,000 is provided for steam communication between Halifax and St. John, *via* Yarmouth. I approve of that.

Hon. Mr. MILLER—I rise to a point of order. Has the hon. gentleman the right to discuss the estimates on a simple question such as this. It is taking advantage of the indulgence of the House.

Hon. Mr. POWER said he was following the usual practice.

Hon. Mr. PENNY said that there had been a good many discussions of this kind before on simple questions, and nobody had ever raised any objection to them.

Hon. Mr. DICKEY said the objection was not to a discussion upon the question, but to the fact that the hon. Senator (Mr. Power), was not confining his remarks to the question at issue.

Hon. Mr. SCOTT said that a question almost similar to this had been brought up last session by hon. Senator Northup in reference to making Halifax the winter port of the Dominion. A general discussion then took place, in which the whole shipping trade of Canada was taken up. He quite agreed with the hon. Senator from Richmond, (Mr. Miller), that the House was falling into a very loose habit. He had taken exception to it when leader of the House himself, and he had often felt its inconvenience. He had always felt that it was not right, but the House had permitted a large margin in such discussions which was much larger than was wise or prudent. It would not be fair to stop the hon. gentleman from Halifax in this case, unless the House should arrive at a decision that in such cases the member should simply put the question on the notice paper.

Hon. Mr. DICKEY said if the hon. gentleman (Mr. Scott) had sanctioned that

while he was leader of the House, he should not try to prevent others from reforming the abuse.

Hon. Mr. SCOTT said he had not the power to prevent it.

Hon. Mr. DICKEY said he took a very strong interest in the question before the House, and his desire was merely that it should not be prejudiced by importing into it matters which could not aid the hon. gentleman from carrying out the object he had in view, and in which he, (Mr. Dickey), might add, he heartily sympathized with him.

Hon. Mr. PENNY said that when he first came into the Senate—his experience having been gained in the Reporters' box of the House of Commons, where he had been accustomed to seeing the rules strictly observed—he had been rather surprised at the latitude allowed in such discussions here. On one occasion he had ventured to call the hon. Senator from Richmond to order, and was met by that very gentleman with the remark that he, (Mr. Penny), was not acquainted with the rules of the Senate, and that members were allowed to take as long as they pleased on questions of that kind.

Hon. Mr. MILLER had no recollection of having said anything of the sort, or of having used such language as was now imputed to him, and was very sure that the reports of the debates of the House would not bear out the hon. gentleman in the statement he had made. He, (Mr. Miller), had always contended that fair scope should be given to members to explain questions of this kind. His objection in this case was, that the remarks of the honorable Senator from Halifax were too general and discursive.

Hon. Mr. PENNY said he had not meant to quote the hon. gentleman's exact words, and perhaps he had somewhat exaggerated the matter, but, in substance, the hon. gentleman had undoubtedly stated that there was very wide latitude allowed in this House in discussing questions brought up as this was.

Hon. Mr. CAMPBELL said of course on a notice of this kind, the rule followed in the Senate and in the House of Lords in England was, that a member could preface his question with a few remarks to make it plain.

Hon. Mr. POWER contended that the uniform practice in this House had been, on questions of this kind, to go into the merits of the case, not merely for the purpose of letting the Government know what information was required, but to give reasons why a certain course should be adopted. He did not mean to say that it was regular, but he knew it was the uniform practice of the House. If the hon. Senators from Richmond and Amherst would turn to the report of the debate which had taken place in the session of 1877 upon this very subject, they would find that their own remarks on that occasion had been quite as far from the point as his, (Mr. Power's), were now, and further.

The SPEAKER said that the practice had certainly grown of allowing long discussions on questions brought up in this way.

Hon. Mr. POWER said if this was not a matter for discussion, he hoped the rule would be enforced in the case of others.

Hon. Mr. CAMPBELL—It is not a matter for debate.

Hon. Mr. POWER—Then no other member has a right to speak upon the subject, since the leader of the House has laid down the rule.

Hon. Mr. CAMPBELL—I do not lay down a rule. I merely speak of a rule.

Hon. Mr. HAVILAND said any member of the House could rise, and insist upon the rules being observed.

Hon. Mr. MILLER was only surprised that the hon. member for Halifax, after speaking for ten minutes on the subject with the object, which every one understood, of having his remarks sent down to the constituency from which he came, should now claim that no member of the Senate should rise and reply to him. He was sorry that the hon. gentleman had spoken in so low a tone of voice that

his remarks could not be distinctly heard in the House; but from what he, (Mr. Miller), had heard, he had to congratulate the hon. gentleman on having come to look upon this question in a different light from that in which he viewed it two years ago.

Hon. Mr. POWER rose to a question of order. If the question was to be discussed, he claimed the right to go on with his remarks.

Hon. Mr. MILLER said he merely wished to contrast the hon. gentleman's conduct on a former occasion, when the late Government was in power, with that he was now pursuing. The hon. member was clearly trying to make political capital out of the question. He was willing to excuse the late Government for not granting a subsidy in 1877, but he now thought it very wrong in the present Finance Minister to follow his example. The hon. member would, no doubt, like to shut out debate on his own conduct in this matter, but the people of Halifax understood it.

Hon. Mr. POWER called for the Speaker's ruling on the point of order.

The SPEAKER said the rule in the House of Lords was that there should be no discussion on a question.

Hon. Mr. POWER thought it was rather hard that he should be debarred from bringing forward some reasons why these subsidies should be continued.

Hon. Mr. CAMPBELL—In answer to the hon. gentleman's question, I beg to inform the House that some days ago, before the hon. Senator gave notice of his question, a deputation, consisting of several members from the Province of Nova Scotia, waited on the Government, brought up the whole question, and furnished all the information which could be desired.

Hon. Mr. MILLER—Was the hon. gentleman for Halifax among them?

Hon. Mr. CAMPBELL—The hon. member for Halifax was not. Since then the matter has been under the careful consideration of the Government. We are not yet prepared to say whether the item will appear in the estimates or not, but I can say that owing to the representations of the gentlemen who formed that deputation, the matter is receiving our careful consideration.

Hon. Mr. POWER—I am very glad to hear it.

MANITOBA PENITENTIARY.

MOTION FOR RETURN.

Hon. Mr. GIRARD moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all orders in council, reports, recommendations, letters and papers relating to the Penitentiary at Manitoba.

He said: This penitentiary is used not merely for the criminals of our Province, and the whole of the North-West Territories, but also as an asylum for the insane. A large sum of money has been expended upon the building, yet there is not a more unhealthy spot in Manitoba than the place where it stands. There must be some cause for this. During last summer typhoid fever prevailed there. The warden was confined to his bed for a time, some of his officials have been sick, and some of the inmates died. The sanitary condition of the place has been the subject of correspondence, and I ask for copies of these reports and letters, because I do not wish my Province to lose the reputation of being the healthiest part of Canada. When these papers are produced they will explain the cause of the sickness among the inmates, and the repairs which are necessary to remedy the evil complained of. I am sure that the Government will do all in their power to improve the sanitary condition of the establishment.

Hon. Mr. CAMPBELL—I have no objection to the address, and will bring down the papers asked for. I may state that an item will be placed — I think it has been placed — in the estimates, to improve the drainage of the penitentiary.

The motion was agreed to.

PUBLIC EXPENDITURE OF THE DOMINION.

INQUIRY.

Hon. Mr. MACPHERSON rose

To call attention to the increasing annual expenditure in the Departments of the Public Service, and enquire if the Government has under consideration a scheme of substantial retrenchment.

He said: I do not intend to go at any great length into the finances of the country, or to address the House on the general financial question, as I have done each session during the past two or three years. The question is a very large one, and there would not be much novelty in a general statement on the finances of the country this year as compared with last. On this occasion, I intend to confine myself to the expenditure under two or three heads, where I think there has been great extravagance. The first item of expenditure to which I will refer is the contingencies. They have run up to a very large amount. They have averaged during the last five years $395,722 per annum. The statement is as follows:—

CONTINGENCIES AND GENERAL EXPENSES OF THE DEPARTMENTS AT OTTAWA AND OF THE HOUSE OF COMMONS.

	1873-4	1874-5	1875-6	1876-7	1877-8
CONTINGENCIES OF CIVIL GOVERNMENT.					
Total of Departments	$222,803	$208,707	$172,548	$157,479	$158,174
House of Commons.					
Salaries and contingencies	129,602	90,000	130,000	120,000	140,000
General Expenses do.	72,928	84,803	107,478	89,731	94,352
Total, 1874.....	$425,333	.....	.....	.....	.....
" 1875.....	.....	$383,515	.....	.....	.....
" 1876.....	.....	.....	$410,026	.....	.....
" 1877.....	.....	.....	.....	$367,210	.....
" 1878.....	.....	.....	.....	.....	$392,526

This includes some salaries in the House of Commons, and also the pay of extra clerks in the Departments. The latter is one of the most objectionable uses to which money, granted for contingencies, can be applied. It was only intended that it should be so applied in cases where extra clerks were unexpectedly required. But, instead of that, the amount paid to extra clerks has run up from $4,443 in 1871, to an average sum of about $35,000 a year for the last three or four years. That amount is taken out of the contingencies. Now, if the same item recurs year after year it should not be paid out of contingencies, but should be regularly voted like every other item of expenditure. Moreover, Section 19 of the Civil Service Act of 1868 (31 Vic., Cap. 34), forbids the employment of an extra clerk by the head of a Department for more than one month, and forbids the payment of extra clerks out of contingencies for a longer period than one month. If an extra clerk is required in the public service for more than a month, he must be employed by Order in Council, and if his services are required for a longer period than six months, he must be employed regularly, under the Civil Service Act. I believe that this law was systematically violated by the late Government. Whether it was violated prior to 1873, I do not know.

Hon. Mr. SCOTT—It has always been disregarded.

Hon. Mr. MACPHERSON—We have the admission of a member of the late Administration that it was violated by them. In speaking on the Supply Bill at the close of last session, I called attention to an item in the supplementary estimates

of $6,000 for the salaries of extra clerks in the Department of Agriculture. The hon. gentleman who was then Minister of Agriculture, interrupted me, to make the following observation :

"Hon. Mr. PELLETIER—It is to pay extra clerks, who have been in the office for years, and who have always been paid heretofore out of the contingencies. This does not add a cent to the expense of the Department."

Now, I think that this bears out fully what I have just said, that the 19th section of the Civil Service Act has been systematically violated. We have now a public officer, the Auditor-General, who has very great power over expenditures. I do not know whether his rights extend to investigating the expenditures, from contingencies to see whether clerks are improperly paid out of that fund.

Hon. Mr. CAMPBELL—They do.

Hon. Mr. MACPHERSON—Then one of his duties would be to see that no extra clerks are paid out of the contingencies for a longer period than one month, which would be a great improvement in the public service. It would tend to retrenchment, for when the fund was considered free, and open to draw upon for the payment of extra clerks, it is very easy to see how difficult it must have been for Ministers to prevent it being abused to serve political friends and their dependents. The next item of expenditure that I shall refer to, is connected with the Customs Department. I shall allude to it very briefly. I pointed out last session at some length, the rapid increase of expenditure in this service. I regret to see that the expenditure has continued to increase ; not much, it is true, but still the expenditure in 1878 was larger than in 1877. In the condition of the country, and of the revenue, I maintain that there ought to have been a decided decrease in the expenditure of that department. The statement is as follows :

CUSTOMS.

Year.	Total Revenue.	Total Cost of Collection.	Per centage Cost of Collection.
1875.....	$15,351,011	$682,673	4.45
1876.....	12,823,837	721,008	5.62
1877.....	12,546,987	721,604	5.75
1878.....	12,782,824	751,101	5.88

Decrease of Revenue from Customs in 1878 compared with 1875..... $2,568,187

Increased cost of collecting the Revenue from Customs in 1878, over 1875.... $68,428

Custom Houses.	Total Revenue.	Cost of Collection.	Per centage cost of Collection.	Decrease of Revenue 1878 from 1873.	Increase of Revenue 1878 over 1873.	Increase cost of collection 1878 over 1873.
Montreal, 1873.....	$5,011,154	$87,733	1 75			
" 1878	3,818,437	114,311	3 00	$1,192,717	.....	$26,578
Toronto, 1873	$1,194,422	$38,806	2 02			
" 1878	2,149,289	52,845	2 45	.....	$234,867	$14,039
New Brunswick, 1873..	$1,264,148	$73,353	5 80			
" 1878..	1,454,278	94,024	6 47	.....	$190,130	$20,671
Nova Scotia, 1873.....	$1,277,926	$93,990	7 35			
" 1878.....	1,227,638	106,088	8 64	$50,288	.....	$12,098
Ontario, 1873	$4,387,506	$183,505	4 18			
" 1878	4,712,407	223,538	4 74	.....	$324,901	$40,033
Quebec, (Province) 1873.	$5,896,056	$176,985	3 00			
" 1878.	4,532,645	204,672	4 51	$1,363,411	.....	$27,687

I think that the House will agree with me that this exhibit is not creditable: on the contrary, that it is perfectly indefensible. Here is a large decrease in the amount to be collected, and a large increase in the cost of collection. I admit that it may be difficult to reduce an establishment, in the event of the revenue declining, for a year or two, but there can be no possible necessity for increasing it, and increased expenditure, under such circumstances, is evidence of extravagance, if not of corruption. It does seem to me that the Custom House at Montreal, particularly, and probably at other ports, was given over to ward politicians, and that they were allowed to fill it up just as they saw fit. I hope that there may be real reform in that quarter. It is exceedingly difficult to introduce retrenchment after extravagance has prevailed for years. I wish to say as little as I possibly can, that would be unpleasant to the gentlemen who took part in ruling the destinies of the Dominion in past years, and who are now in opposition; but I must refer to facts, and I think it is due to the country, and to the present Government also, that these statements should be placed before the House and the country. I cannot help believing that the increase at the port of Toronto was unnecessary. I believe that there is a constant pressure by politicians on behalf of their dependents in all our cities, upon the collectors of customs, and also upon the Government, and that it requires a great deal of resolution to resist them; but unless they are resisted, their *proteges* will in time consume the revenue of the country. They do now consume a very much larger share of it than the services they perform entitle them to receive. Hon. gentlemen who remember the information that was given to the House last session by a prominent gentleman from New Brunswick, who now occupies the highest position in this House, will recollect the small sum which he mentioned as the amount for which the customs revenue of New Brunswick was collected before Confederation, and they must all feel how much larger the expenditure for that purpose now is than there can be any necessity for. I hope that the Government, who will have all the information that can be imparted to them by those best informed on the subject, will endeavor to introduce retrenchment there. I have given you the percentage of the cost of collecting the revenue throughout the Dominion. It runs from 3 up to 8.64 per cent. Now, the cost of collecting the customs revenue in Great Britain is only 3.38 per cent., and the revenue collected in the United Kingdom from customs in the year ending the 31st of March, 1876, was $118,115,000. I know that it is a very difficult matter to enforce retrenchment, and I did not expect to see any great reduction in the first estimates which the new Government have submitted. There was not time for them to look narrowly into the details of expenditure. Besides, when once extravagance has prevailed, it is very difficult to enforce retrenchment. It is difficult and painful to dismiss those who have been employed, even if they are supernumeraries, but some means must be devised to relieve the treasury of those supernumeraries. The only other department to which I shall allude is the Post Office; and, I confess, the result of my investigations into the details of that Department have been exceedingly unsatisfactory. They have been unsatisfactory for two reasons—first, because of the evidence of extravagance in the management. That, I must say, I was somewhat prepared for; but I was not prepared for the falling off in the revenue of the City Post Offices, which I discovered. We do not expect the Post Office Department to be self-sustaining in this country, where the territory is so extended and the cost of conveying the mails so great, and we are all prepared to admit the necessity of affording to the pioneers who extend our frontiers, the convenience of the post office service. In consideration of all these reasons, we do not expect the receipts to equal the expenditures in this Department. At the same time, we do expect that in this, as in all the other departments, the greatest economy compatible with the convenience of the public shall be observed, and, at all events, that there shall be no extravagance or waste of the public funds in its management. I shall submit a statement of the revenue and expenditure for each year since 1874. It is as follows:—

POST OFFICE.

COMPARATIVE STATEMENT OF REVENUE AND EXPENDITURE, 1874 TO 1878.

		Amounts.	Revenue. Yearly Increase	Expenditure. Yearly Increase.
		$	$	$
Total Revenue	1874	1,456,827		
" Expenditure	"	1,704,124		
Deficit	"	247,297		
" Revenue	1875	1,520,652	62 825	
" Expenditure	"	1,886,181		182,057
Deficit	"	365,529		
			Decrease.	
" Revenue	1876	1,478,866	41,786	
" Expenditure	"	1,999,153		112,972
Deficit	"	520,287		
" Revenue	1877	1,485,548	6,682	
" Expenditure	"	2,075,913		76,760
Deficit	"	590,365		
" Revenue	1878	1,593,337	107,789	
" Expenditure	"	2,110,485		34,572
Deficit	"	517,148		
Total increase of Gross Revenue, 1878 over 1874			136,510	
Total increase of Expenditure, 1878 over 1874				406,361

Cost of Collecting $1, in 1874	$1.16
" " 1878	1.33
Percentage of Deficit to Revenue, 1874	17%
" " " 1875	24%
" " " 1876	36%
" " " 1877	40%
" " " 1878	32%

In looking at the debates upon the Act under which the free delivery of letters was authorized, I found that the Postmaster-General of that time had stated in another place that he expected a very large increase of revenue from the free delivery in cities. He stated that it had then been in force in Montreal for some time, and that the number of drop letters had been increased many fold since it was put in operation, and that he expected a similar result from introducing the system in other cities. That induced me to look into the business done in the principal cities of the Dominion, and I must say that it disappointed me very deeply. While I expected to find extravaganee, I was not prepared for anything like what I discovered. But what I was chiefly disappointed in, as an evidence of commercial inactivity and general depression, was the decline of the gross revenue at the post offices in the great commercial centres. The statement is as follows:—

REVENUE AND EXPENDITURE AT CITY POST OFFICES ; 1878 COMPARED WITH 1874.

City Offices.		Gross Revenue.	Expenditure.	Increase of Gross Revenue	Decrease of Gross Revenue	Increase of expenditure.	Decrease of Net Revenue	Per Centage to Expenditure to Revenue.
		$	$	$	$	$	$	
Montreal	1874	170,170	48,630	.....	.....	.....	.....	28
"	1878	159,660	77,842	.....	10,510	29,212	39,722	48
Quebec	1874	47,140	17,655	.....	.....	.....	.....	37
"	1878	34,345	23,572	.....	12,795	5,917	18,712	68
Ottawa	1874	36,814	14,670	.....	.....	.....	.....	39
"	1878	28,834	24,344	.....	7,980	9,674	17,654	84
Toronto.....	1874	136,738	36,050	.....	.....	.....	.....	26
"	1878	151,124	54,874	14,386	.....	18,824	4,438	36
Hamilton	1874	50,178	14.386	.....	.....	.....	.....	28
"	1878	48,879	23,457	.....	1,299	9,071	10,370	47
London	1874	31,218	11 650	.....	.....	.....	.....	37
"	1878	31,623	17,347	405	.....	5,697	5,292	55
Halifax	1874	38,156	15,060	.....	.....	.....	.....	39
"	1878	37,108	21,292	.....	1,048	6,232	7,280	57
St. John.....	1874	33,257	11,726	.....	.....	.....	.....	35
"	1878	37,054	20,259	3,797	.....	8,533	4,736	54
Total Increase of Gross Revenue.....				18,588				
Total Decrease of Gross Revenue.....				....	33,632			
Deduct Increase of Gross Revenue.....				.....	18,588			
Decrease of Gross Revenue in 1878 from 1874				.....	15,044			
Increase of Expenditure in 1878 over 1874..				.....	.....	93,160		
Decrease of Net Revenue in 1878.....				.....	.....	.....	108,204	

Hon. Dr. BROUSE—Can the hon. gentleman show us how much the free delivery cost ?

Hon. Mr. MACPHERSON—I will come to that presently. Now, I find it very difficult to comment upon the statement that I have just read, it is so disappointing, so unfavorable that I really feel at a loss to know how to characterize it without saying, what I should rather not say, to those who are responsible for the extravagance which it discloses, but who are now in Opposition.

Hon. Mr. SCOTT—Hear, hear !

Hon. Mr. MACPHERSON—Does the hon. gentleman mean to say that he is not largely responsible for it ? Will the hon. gentleman say that he had nothing at all to do with increasing the cost of collecting the revenue at the Ottawa Post Office from 39 to 84 per cent. ?

Hon. Mr. SCOTT—I can explain the increase. It is due to increased conveniences to the public. The hon. gentleman ignores the free delivery of letters, the savings banks, and the effects of treaties with other countries. At the period when his statement begins, postage was nearly double what it is to-day. The hon. gentleman is endeavoring to make it appear that all this was owing to the appointment of extra clerks and officers. I say that it is a very unfair argument.

Hon. Mr. MACPHERSON—I ask the hon. gentleman if he is responsible for crowding the Ottawa Post Office with officials, whose salaries have helped to increase the cost of collecting the revenue of the office from 39 to 84 per cent ?

Hon. Mr. SCOTT—I am not aware that the Ottawa Post Office is crowded. If it is, it is the duty of the Government to reduce the number of officials. They have been six months in power with this office under their eyes, and if it is crowded, it is their own fault.

Hon. Mr. MACPHERSON—I am not surprised that the hon. gentleman feels annoyed, because it is in the last degree discreditable to the late Government. I have submitted some statements, damaging to the late Government, in this House, but I do not believe that I have ever presented one thing that was so thoroughly inexcusable as this statement. Here, in the face of a declining revenue, the expenditure has gone on increasing.

What excuse can there be, for instance, for the increased expenditure of $29,212 at Montreal?

Hon. Mr. SCOTT—Ask those who have command of the purse-strings now.

Hon. Mr. MACPHERSON—It is utterly impossible that there could be any necessity for it. The only explanation is that the post office, like the custom house, has been given up to the ward politicians. A decrease of net revenue has taken place in all the large cities without one exception, making an aggregate decrease of net revenue from 1874 of $108,000. The hon. gentleman calls upon his opponents—the present Government—to put a stop to this, and ask why they have not done so. It is very easy for him to say that, but after having opened the sluice-gates, and allowed the tide of extravagance and corruption to flow in as it has done, it is not so easy to stop it.

Hon. Mr. SCOTT—I deny that there has been any extravagance or corruption.

Hon. Mr. MACPHERSON—There is very great difficulty in putting a stop to them as effectually as should be done, unless there is an entire change of system. I believe that a new system might be introduced with very great advantage. I do not see why something such as prevails in country post offices, should not be extended to the city offices,—why the work should not be done by contract. I would not propose to put the city offices on the same footing as country offices, that is on commission. But I do not see why they could not be conducted on a contract system—contracts to be obtained by competition. Under the present management, the postmaster has nothing to do with appointing officials under him. He has no power; they are sent there by politicians, and he has to employ them whether they are capable or not. Their friends want them appointed, and the appointments are made. All those offices—there are no exceptions I believe—are over-crowded with employés, and the only way I see of remedying the evil is by a complete change of system. It is not in the power of a new government to introduce, in a day or in months, retrenchment to the extent that is needed in the public service. I believe that, under a system such as I suggest, the expenditure would be reduced one-half, and I do not know why it could not be extended to custom houses. But there is one point on which I am perfectly clear, that is that there has to be substantial retrenchment; and that it is not to be done by any cheese-paring, but by some revolution in the system. So great is the degree of extravagance to which the late Government has brought the whole public service, that nothing short of that will check it. The hon. gentleman, (Mr. Scott), says that all has been done in the public interest and for the public convenience. I have shown how the net revenue in eight of our largest cities has fallen off $108,204. The deficit of 1878 exceeded that of 1874 by the sum of $269,853, and the increase in the conntry service was, therefore, $161,649, which is not a very extravagant sum compared with the loss from excessive expenditure in the cities. The increased expenditure has not been caused by sympathy for the toiling people, the pioneers, the dwellers down by the sea, and the people away up in the North-West, but it has been in serving political friends in the cities; and it is there that the reform is necessary. With proper and pure management there would have been no increase of expenditure in the city post offices. In all of them except three, the actual business has decreased, and in all of them, without exception, the expenditure has enormously increased. The Hon. Senator from Prescott (Dr. Brouse) asked about letter carriers. The free delivery in cities went into full operation in 1876. In 1873 the amount paid to letter carriers was $22,542; in 1874, $22,331; in 1875, $31,290. In 1876, when the system was in full operation, it increased to $58,361; in 1877, to $64,420; in 1878 to $73,896. The increase since 1876, when it was in full operation, has been $15,535. I am sorry that the Hon. Senator from Toronto, (Mr. Brown), who was the father and protector of the late Government, is not present to-day. When he was here last year, he said that he could not find a solitary instance of culpable neglect or thoughtless waste on their part. When he sees this statement, which I have to-day submitted, he will come to a different conclusion, and rebuke them not only

for thoughtless waste, but also for culpable waste. I can assure my hon. friend, the leader of the Government, that the country expects substantial retrenchment from the present Administration, and requires it. The condition of the people is such that they must have it, and it is for the Government to devise the means. They have fulfilled their pledges so far as they have gone in a manner that is undoubtedly satisfactory to the country at large—I refer to their course in bringing down the National Policy. Whatever may be men's opinions with respect to free trade if it could be fully carried out, there can be no question whatever that the country has decided by a very large majority to try what can be done to promote their prosperity by protecting their home industries. The Government have fully redeemed their pledges in that matter. I hope they will redeem their pledges in respect to retrenchment also, especially their implied promises of retrenchment in matters entirely within the control of the Government, I mean the salaries of members of the Administration, and the indemnity paid to members of Parliament. Many of their supporters made what might be called implied promises that such retrenchment should follow their success. When gentlemen censure others, they should prove their sincerity, when they obtain the power to redeem their implied promises. I am not one of those who favor paying the Ministers of this country unhandsomely, but I do think that there might be a reduction in the salaries, without doing any injustice to the members of the Government, and that such a reduction would be accepted by the people of the country as the best earnest that could be given to them of the determination of the Government to enforce the much needed retrenchment. The present salaries, I think, are higher than the circumstances of the country warrant. They were passed by Parliament at a time when unprecedented prosperity prevailed, and when the cost of living had increased, as it always does, at such times. At that time I do not think any one would say they were too large. Before then, they were unquestionably too small. Probably the mean between the two, if the Government had seen fit to have adopted it, would never have caused any complaint, but I hope that they will consider the question now. Then, again, as to the question of indemnity to members, I have no hesitation in saying that, considering the circumstances of the country, it is excessive. The cost of the last session of Parliament was $618,035. Of that sum the indemnity to members amounted to $303,210. Now, I do not think it is necessary to enlarge upon that. It is unquestionably more than the circumstances of the country warrant our helping ourselves to, and more also than the legislation of a session of Parliament is worth. Look at the legislation of the last Parliament which cost $3,000,000 ! What great measures affecting the public weal were passed during that Parliament? I defy the hon. gentleman who was then Secretary of State to point to any one great measure. There was the Act establishing the Supreme Court, which the country could well have done without. That Court entails an expense of over $50,000 a year on the country. There were the Supply Bills, as a matter of course. There was only one other measure that the Government of the day considered very important—the Whitewashing Act. I do not think that such legislation was worth $600,000 per session, and I do not believe that, if the people were consulted upon it, they would give ten cents on the dollar for the legislation. The expenses of government in this country are becoming altogether too large for the people to bear, and unless there is a change, especially from the course pursued by the reform governments, there will be a state of things that I am not disposed to foreshadow ; but certainly the governments will be visited with public indignation. The late ministry showed a bad example to the Provinces, and the Provincial Governments were not slow to follow their example. Ontario, which was considered a model of economy, and which was so under the administration of the late Sandfield Macdonald, has become exceedingly extravagant. The departmental expenses have increased $835,000 since 1871. It is utterly impossible that the people can go on and support these Governments on the present scale of expenditure. The whole revenue of this country has to be earned either by the labor of the brain or the sweat of the brow ; and is it possible that men who have to earn

their means by toil will go on supporting extravagant governments such as they have had to sustain for the last five years? I have spoken with more warmth than I intended to have done or would have done, had not the late Secretary of State interrupted me. Now, I am sure that the hon. Receiver-General will accept, as I intended, the expression of friendly advice and good will to the Government. I told him when he sat beside me here, that when he should cross the floor of the House, I should occasionally play the part of the candid friend to him. If I have done it to-day, I hope he has not mistaken my motive, but will attribute it to that which has really influenced me,—a desire to see the Government pursue, as I am sure they will do, a course which will be advantageous to the country and creditable and honorable to themselves.

Hon. Mr. ALEXANDER—If I mistake not, the question or motion, now before the House, is one which has been discussed before, under different circumstances. On the occasion to which I refer, which was during last session, the hon. Senator, if I remember, published tabulated statements, from the Public Accounts, for the purpose of showing that the Administration of that day were chargeable with the most wasteful expenditure of the public money. I tried to find in the Library of Parliament a copy of the Senate Debates, in order to see what he had said upon that occasion, but had not the good fortune to find one. The hon. gentleman is a great economist. He surpasses us all in his theories of retrenchment. I will give this hon. House an illustration of the hon. gentleman's economy. Two merchants of Ottawa, came to me to complain, that under the arrangements for reporting the Senate, no one outside the walls of Parliament could procure with money a copy of the debates of the previous day. There was no way of seeing what took place within the Senate Chamber. Well, in this instance, the public service does not suffer because of the paucity of copies, inasmuch as we have in the speech of the honorable gentleman to-day a later edition of the same speech with amendments and improvements. Does the honorable Senator mean by this ominous motion, that he is going to hold the sword of Damocles over the heads of the present administration? The honorable Senator, like myself, cannot eradicate a strong instinctive disposition to criticise closely the acts of every Admininstration. This is very commendable, when inspired by a high and lofty patriotism, such as the hon. gentleman always displays. The hon. Senator, inspired by that lofty patriotism, was one of the executioners of the late Government, and the present party in power have reason to acknowledge the past services of the hon. gentleman. But I would presume to remind the leader of the Government in this House, who, as Sir John would say, was a Scotchman born in England, that the learned Senator, who had placed this question on the notice paper, like myself, hails from a country, whose inhabitants have some peculiarities of character. (I do not now allude to the predatory instincts); but I am thinking of the memorable motto on our national shield, "*nemo me impune lacessit.* And I venture to presume to offer friendly counsel to the leader of the Government before me, that it will behoove him to give this ominous question the most careful consideration, unless he is prepared to face the wrath of the hon. Senator opposite. It reminds me of some of the diplomatic documents of the renowned Gortschakoff during the Turkish-Russian struggle. It may mean a little friendly advice to the Government, or it may mean the ultimatum before a declaration of war, if such ultimatum is not religiously accepted, and all the reductions of expenditure made, according to the peculiar theories of the hon. gentleman. This motion is certainly not a very complimentary one to the present Government. I am afraid the hon. gentleman has not a very firm faith in the honor and high principle of the party now in power. If he had, there surely would be no propriety in this motion. The hon. gentleman has occupied the last half hour showing what reductions could be made in the Departments of the Minister of Finance, the Ministers of Customs and Inland Revenue, and of the Postmaster General. Those four Ministers of State would act wisely, to hand over their portfolios to the hon. gentleman. He could administer them all, and thus effect a great saving to the

country. He appears to entertain the idea that they are not capable of discharging the functions and duties of their respective positions. He has apparently no faith in those Ministers chosen by the representatives of the people, in another quarter—chosen and sustained by the present able House of Commons of the Dominion. The hon. gentleman has a respectable idea of his own business capacity—that he knows better than they do, what retrenchment should be effected. I confess that after the experience I have had of the hon. gentleman's economy, from my having served with him upon some of our committees, I have no very great faith in his economic theories. Why, he would carry his economy, to such a length, that he would impair entirely the efficiency of the public service. To save a few hundred dollars, he would deprive the merchants, mechanics and other citizens of this and other cities, of the means of knowing what transpires within the walls of this Senate, which is so costly an institution, an essential co-ordinate branch of the Legislature. I do not believe in such economy, nor do I think that the people of this Dominion call for such retrenchment. Although we are nominated by the Queen's mandamus for life, the people desire to hold us responsible to them, and we desire just as much as if we were elected by the people, to hold ourselves responsible to them, for our public course. Perhaps the hon. gentleman is not serious, or perhaps to-day he has been only practising his dramatic powers, as my honorable friend from Richmond did on a recent occasion. Or he is, perhaps, afraid of the terrorism of a certain leading organ. Now I confess that I am of the number who harbor no suspicion or doubt, that after Parliament rises, the present Government will put all the Departments upon a proper business footing, discharging all unnecessary clerks, and lopping off every unnecessary expenditure, without any volunteered friendly counsel or threats from any quarter. As regards the other portions of the hon. gentleman's speech, casting reflections upon the late Government, what good can be accomplished by that course. It is the future we have to deal with, and not the past; and as I said on a former occasion, British practice forbids that we should strike a man when he is down. The hon. members of this House are desirious that the Senate should be regarded as a high judicial tribunal, that we should always be regarded as exercising our functions and our duties in the interests of the people, without any partizan leaning towards the one party or the other. And we believe, that it is only by pursuing such a course that the Senate can continue to command the respect and esteem of the enlightened people of this Dominion.

Hon. Mr. DICKEY—Notwithstanding the facetious remarks of my hon. friend from Woodstock, I think the House and the country will feel greatly indebted to my hon. friend who has brought this matter before the Senate. If his observations have been confined to the statements with respect to the expenditure in the Post Office Department, they, in themselves, would have been sufficiently startling, but I am quite sure, without anticipating what the answers of the late Secretary of State or the late Minister of Agriculture will be, that this House will wait with interest, and, perhaps, with anxiety, the explanations which we have a right to expect from those who have the power to give them. My hon. friend who has made this enquiry, has not called attention to this important matter to-day for the first time, because, as we have been told by the hon. gentleman who has just sat down, the hon. Senator has, on former occasions, directed the serious attention of this House and the country to the increasing expenditure of the Dominion. In fact he has, to a certain extent, earned the taunt which has been thrown across the House to him, that he has made this question all his own, and I think that, instead of being exposed to reproach—and I am quite sure that my hon. friend from Woodstock, in his excessive good nature, does not mean any such thing—he has earned the thanks of the House and the country. My honorable friend, (Mr. Macpherson), has fallen into an error in saying that no pledges were given on the subject of economy by the members of the present Government, because, if I recollect rightly, the member of the Government who has peculiarly the charge of the finances of the country, took occasion to state on the hustings in St. John last September, that every possible economy

would be exercised in administering the affairs of this country.

Hon. Mr. MACPHERSON—I did not mean to make the statement general, but only with reference to the indemnity and salaries.

Hon. Mr. DICKEY—I quite believe that, because it was a part of the declared policy of the Government, and I need hardly tell this House how much their hands were strengthened in making that announcement, and how much their hands were strengthened in obtaining the government of this country by the exertions of my hon. friend who brought forward this motion. It was to a larger extent perhaps than some hon. members may be willing to admit at the present moment, that the great change of public sentiment, which culminated in the political revolution of the 17th of September, was due. Let me say to the hon. leader of this House that whenever it comes to a question before this country of increased taxation or diminished expenditure, the people will very soon settle that problem.

Hon. Mr. MACPHERSON—Hear, hear.

Hon. Mr. DICKEY—I rise before my hon. friend the late Secretary of State, or the late hon. Minister of Agriculture, makes a reply, to call attention very briefly, and by way of supplement, to another branch of the public service in which there was a large expenditure: I allude to the Immigration Department. It became my duty in 1876 to call the attention of the House to that growing expenditure. I called attention to it then, and I am happy to say not without considerable effect. My hon. friend who then had charge of that Department, will be quite willing to admit that one of the first-fruits of public attention having been called to it in the Senate, was the dismissal of the man who was utterly unfit for the office, the present member for Dundee, as Agent-General. The late Government deserved credit for the independent stand they took with respect to that gentleman, but they went on in consequence of the pressure that was brought to bear upon them in Parliament, and for which I feel myself largely responsible, in following up the subject as strenuously as I possibly could. They not only did that, but diminished the expenditure to a considerable extent. I would simply call the attention of the House to the figures before us in the Report of the Minister of Agriculture at page 35. I will refer to it for a moment to show how this expenditure has increased, how it has diminished, and to draw the inference, how it is still capable of being further diminished. In 1871 the whole expense of immigration was $63,798. In 1872, the amount, less the $70,000, granted to the provinces in aid of immigration, which was withdrawn in 1874, was $126,124; in 1873, which was the year before the change of Government, it was slightly increased, being $134,000. Then we come to the period when there was a change of Government. In 1874, that crucial year, which had been the subject of a good deal of comment, as being half belonging to one Government, and half to the other, the expense had increased $251,120. In the next year, about which there is no doubt —the year 1875,—the expenditure had further increased to $296,692. In 1876, it was $284,065. That was the year in which I felt it my duty, having been in England, and witnessed the practical working of this department in London, to call particular attention to this large expenditure for which there was no equivalent return. I am happy to say the expenditure next year dropped to $183,672, and in 1878 to $177,044. Now, I am happy to find that, by the estimates submitted to us for the year 1879, there is a further decrease of something like $53,000. I entirely approve of that decrease. I give my hon. friends the credit of making that decrease, and I think it would be well for them to consider, because the estimates are generally supposed to be in excess of the actual expenditure, and do not bind them strictly to that amount one way or the other, whether they cannot see their way clear to still further diminish that expenditure. I would invite particular attention to the London branch of the Department. I do not want to excite a debate, nor do I want to make any statements that will cause a controversy, but I think when we look at the results of that Department, it seems to me that there is nothing to call for its being continued in London at such an enormous expense. The

change that was made by the late Government from the west end of London—some three miles from the centre of business—to that centre, was a good one, but any person who has been in the habit of visiting the London immigration office, will see that even yet the expense is too great. The agency occupies a building the rent of which is some £700 sterling, with a staff of officials, many of whom, so far as persons visiting there once or twice a week can judge, would seem to have very little to do. At the same time, I quite recognize the importance of having a central office for information—and distribution of information if you like—and for convenience as a rallying point for Canadians in London. All that can be done, however, with, certainly, a moiety of the expense we have had. I find the expense of Mr. Annand's department alone for salaries and attendance was $17,583.

Hon. Mr. SCOTT—They paid part of it.

Hon. Mr. DICKEY—I think another reason why I should urge this matter very strongly upon the Government is this: a great deal of this expense is in items for passenger warrants. These amounts run from $34,000 to $68,000 a year. It is quite natural that this should swell up the expense, but after the declaration made by my hon. friend, the leader of the Government, on a former occasion during the present session, when I understood him to say that it was not the policy of the present Government to bring out farm laborers, but to encourage the emigration of persons with small capital, such as tenant farmers, there should be a further diminution in this expenditure. So far as the present policy is concerned, it is one of which I approve; and, at the same time, the House will see it will relieve the Department of a large amount of expenditure which will no longer be necessary. It appears to me that the true policy of the Immigration Department should be to distribute information; to do as the Americans are doing, make the steamship owners the great immigration agents of the country.

Hon. Mr. MACPHERSON — Hear, hear.

Hon. Mr. DICKEY—It might be necessary to have a central office in London for information, and to distribute such information as you desire, but it will take a great many hundred thousand copies of papers to come to anything like a tenth part of the present cost of the Department, and it appears to me that you will do all that is necessary for the purpose of promoting immigration. Under these circumstances I thought I might be excused for calling the attention of my hon. friends who are now charged with the administration of public affairs to that enormous increase in the expense of immigration until the year 1876, when the matter was brought forward in this House and freely discussed. The late Government certainly are, and I freely accord it to them now, entitled to credit for the steps which they took afterwards in reducing that expense. I only regret they had not gone further. The present Government have gone further, and have largely decreased that expenditure. My only hope, without desiring to cast reproach upon the last Government, is to call the serious attention of the House, and especially of those who are responsible for the public expenditure, to the possibility of diminishing it to a still greater extent.

Hon. Mr. SCOTT—One would suppose that the motive which the hon. gentleman who introduced this motion before the Senate had, was to have the expenditure which he has been criticizing in the past, reduced in the future; and had he called attention to those particular items in the public expenditure that, in his judgment, ought to be reduced, and given his friends on the treasury benches some intimation of where economy could be practised, I think he would have deserved well of this House and the country. But the hon. gentleman availed himself of the opportunity when he commenced his speech, to cast reproaches on the gentleman who lately held the seals of office, and he found fault with the administration of affairs by the late Government. It is exceedingly difficult, hon. gentlemen, to thoroughly appreciate the points in a debate such as the hon. gentleman has introduced. The subjects that he has brought before the Senate can only be really fairly investigated by the Committee on Public Accounts, or by a body of gentle-

men who can sit down and enquire into the details of the expenditure. It is impossible for anybody to thoroughly appreciate at the moment whether the charges made by the hon. gentleman are unanswerable or not. I take this ground, however, that the record of the late Administration will compare favorably with the record of the Administration that preceded them. I would just throw out for the consideration of the House a few of the salient points in order that they may judge whether the late Government was that corrupt and extravagant Administration that the hon. gentleman would lead this country to believe. Take the year 1870, and we will enquire what was the controllable expenditure at that time. It was then $3,800,000; in 1873-4, when the change of Government took place, it had increased in that short period to $8,300,000—more than double. These are figures that will, of course, appeal to the mind of every hon. gentleman. There is, no doubt, in analyzing and scrutinizing accounts there may be, in the hon. gentleman's opinion, places where the Administration might have saved money. It was, however, within their judgment where best to effect economy. And they did reduce the expenditure. When I point out to this House and to the country the expenditure under the head of controllable expenditure in the four years following, it will then be seen whether an effort was made to economise the moneys of the people of this country. In 1874 the controllable expenditure had risen to $8,300,000; this was the last year of the Macdonald Administration.

Hon. Mr. MILLER—Two new provinces had been taken into the Confederation then.

Hon. Mr. SCOTT—Yes; Prince Edward Island and British Columbia had been taken in. But how does the controllable expenditure stand in 1878? The Public Accounts have been distributed, and by referring to them it will be found that the amount had been reduced to $6,500,000—a reduction of nearly $2,000,000. Between 1870 and 1874 the expenditure had increased from $3,800,000 to $8,300,000. The first time in the history of this country when there has been any considerable reduction in the controllable expenditure of the Dominion, was the years during which the hon. gentleman could not find words strong enough in which to condemn the extravagance of the late Government. Now, taking the whole sum known as the Consolidated Revenue Fund, what do we find? In 1870, the total charges on that fund were $15,600,000; in 1873-1874, they had increased to $23,300,000, while the Public Accounts show that in 1878, the charges on the Consolidated Revenue Fund were $23,500,000, just $200,000 in excess of those of the first complete year of the late Administration. But what does this $200,000 represent? The interest of over $30,000,000 that have been expended on the great public works of this country. It represents the completion of the Intercolonial Railway; what has been expended on the Pacific Railway —steel rails included. It represents all that has been expended on the St. Lawrence canals, and the Welland Canal; it represents the organization of the North-West, and the Mounted Police expenditure; it represents the Supreme Court; it represents the increase of the Courts in Ontario and the other provinces, and fifty other things I might name at the present moment that occur to my mind. The increased charge in all that period is represented by the paltry sum, comparatively speaking, of $200,000 a year. The hon. gentleman says that the late Administration were recreant to their duty, and all they sought was to add immensely to the burdens of the people of this country. I do not think this requires any further comment on my part; the figures speak for themselves, and they are too forcible to be gainsaid. The hon. gentleman has been full of compliments to the present Administration. He says, forsooth, they are going to bring about those great changes that are to benefit this country; they have already given evidence of their intention to fulfil one part of their pledges made to the people, and he has unlimited faith, and so has the hon. gentleman who followed him, unlimited faith, in the promises of the Administration to reduce the expenditure. The present Government have now been in office six months. I hold in my hand the Estimates they have brought down to Parliament, and where do we find that extraordinary reduction?

Where do we find the removal of those terrible excrescences that have been put upon the body politic by the late Administration? Is it by any considerable reduction in the services that the hon. gentleman has referred to? Not at all. Does the controllable expenditure appear any smaller? Not at all, but on the contrary, it is slightly increased. Does this Post Office mismanagement and extravagance appear to have been materially improved? I cannot see it, and I ask the hon. gentleman where are the great extravagances that have appeared in the Post Office? He points to the Province of Quebec! What do the figures show in the present Estimates? Two thousand dollars are proposed to be added to this already "corrupt and extravagant" expenditure. The amount expended by the late Government is not sufficient; it does not satisfy the present Postmaster-General, but what has the hon. gentleman from Saugeen to say to him? What was done by the late Administration was all wrong, and grossly improper, but now that it is being done by his own political friends, it is perfectly right and proper.

Hon. Mr. MACPHERSON—I only look at the Public Accounts, not at the Estimates.

Hon. Mr. SCOTT—The hon. gentleman says he only looks at the Public Accounts; he does not speak of Estimates! We are to ignore what the present Administration propose to spend! Does he dare to tell me that I am not to assume from the Official Estimates the amount that the Government contemplates expending during the ensuing year?

Hon. Mr. MACPHERSON—Comparisons can only be made from the results as obtained from the Public Accounts, and the hon. gentleman knows very well that the Estimates of the Government, of which he was a member, submitted to this House, were constantly erroneous.

Hon. Mr. SCOTT—I give the hon. gentleman credit for too much common sense, to assume that when a Finance Minister brings down an estimate for the public service, he does not mean to expend it. Does the Postmaster-General tell us in his last report that he believes any one of the items of expenditure made by his predecessor to have been grossly wrong, irregular or improper? I fail to see a word of unfriendly criticism on the part of the Postmaster-General on the Administration of his predecessor. He knows very well that the department has been increasing, is increasing, and will increase, whether he or any other Postmaster-General continues in power It is one of the public services that the public must have liberally served, and will have at any cost. Look at the United States or at England. Let the hon. gentleman consult the details of the Post Office Returns there, and he will find year by year, as in all civilized countries, they will show increased expenditure. If the hon. gentleman will look at the number of miles of new railway that have been opened up, demanding increased postal service; if he will look at the free delivery in cities, the savings banks deposits, and other conveniences, he will find the causes of the large increase. The hon. gentleman has practical experience of the benefit Canada derives from having entered into this new postal union with the United States and the countries of Europe by which he can to-day mail a letter to any part of the United States by the payment of the same sum it would cost him to send it only forty miles. Let him ask to day if the Postmaster General would dare to go back on the improvements and advantages that have grown up with this expenditure in the past five years! I say he dare not do it. This House would not justify it; the hon. gentleman himself would not attempt to justify it, and I think it is unfair to make representations of this nature in criticising one particular portion of the public expenditure. I had no idea that the hon. gentleman was going to refer to the Post Office expenditure, or I have no doubt I would have been able to fortify myself with facts to prove that every dollar of this expenditure was essential.

Hon Mr. MACPHERSON—I told the hon. gentleman privately that I was going to refer to it.

Hon. Mr. SCOTT—I did not understand that the hon. gentleman was going beyond the Customs and Excise. I do not, however, regret it, but hon. gentlemen will

so that it is utterly useless for us to go into the question, as to whether those charges are extravagant, or fair or proper, whether the people are getting value for their money, or whether the expenditure was for the purpose of providing positions for political favorites. If the hon. gentleman can show that the late Gov. Government were actuated by a corrupt motive, then I will admit that he has made a point, but he has not made the point. Moreover, he has shown that his own friends have endorsed all that we have done, because they have not dispensed with any portion of the service, nor do they intend to adopt a retrograde policy. On looking over the Estimates it struck me as rather a singular coincidence, that while the decreased expenditure for this branch of the public service is to be $9,000, there will be an increase in the expenditure for the Province of Quebec of $2,000, where the hon. gentleman has stated the expenditure was already extravagant and corrupt. The hon. gentleman commented a good deal on the Customs Department. He talked of the late Government having crowded the Customs offices, and of their being in the hands of the ward politicians in Montreal, Toronto, and other large cities. I challenge him to strike a committee, and I venture to say —without more than a general idea of the policy of the late Government on these subjects, for every one who knows the late Premier is aware that he was not favorable to increasing the cost of the public service in the direction of employing officials—that he cannot show that there were as many as six officers added to the post office in Toronto since the late Administration came into power. With regard to the expenditure of the Customs Department, the hon. gentleman should have recollected that in the last few months of the Administration that preceded the late one—in 1873—appointments to the number of 111 were made in the Customs Department.

Hon. Mr. MACPHERSON—That included the appointments for Prince Edward Island.

Hon. Mr. SCOTT—It did not include all the appointments in Prince Edward Island, because a number of them were held in abeyance by the late Administration.

Hon. Mr. CAMPBELL—It included a great many of them.

Hon. Mr. SCOTT—The increased expenditure from that cause was $126,000. All that expense did not accrue against that particular year, because those officers were only appointed a few months before the termination of the year—some of them only a few days before the change of Government. The cost of the collection of revenue from Customs, to which the hon. gentleman reverted, was shown in the Public Accounts of 1877-8 to have been $714,000. Now what is the proposed estimate to-day in reference to that expenditure? How much is it proposed to reduce that expenditure under the pressure of extreme economy? It is proposed to reduce that from $714,000 to $707,069—that is the most extreme point that can be accomplished in the way of economy The head of the Department, in sending in his estimate, says: "I will try and do with that amount," and it by no means represents the amount that may be expended, as the estimate itself rarely covers the actual expenditure. I take issue with the hon. gentleman, that the principle he has enunciated here to-day—comparing the percentage of the cost of collection with the revenue collected—is a fair guide. I say it is no indication, whatever, of the efficiency or commercial management of the Department, and it would be utterly impossible to carry it on effectively if the salaries of the officials were to vibrate just as the revenue from the Customs decreased or increased by pressure of circumstances. Moreover, this fact must be borne in mind: in the year 1875 the Trade and Navigation Returns show that the imports had shrunk in value, though not in quantity. Take iron, for instance, the value of which fell nearly fifty per cent. Those steel rails that we have heard so much of, although they cost somewhere about $50 per ton, it will be found that rails had been entered a couple of years before that for the Intercolonial Railway at a cost of $80 per ton. Subsequent to 1875-6, iron and steel fell still further, and while the quantity imported was not so considerably diminished, the value had decreased. The article was there, but it had a less value; therefore, my hon. friend's mode of calculating to arrive at the conclusion he does, is a very fallacious

and unreasonable one. But, apart from that, a man who is appointed in the Customs becomes a member of the Civil Service, and continues to be a charge on the revenue. If the revenue goes down, you cannot dismiss him, unless you give him compensation that would be equal to many years salary, and if he has been a Civil servant for some years he is entitled to a superannuation allowance; therefore it is unfair to make any comparison between the salaries of officials and the amount of revenue collected. This subject has been before the Senate so often that I do not desire to go into it more fully. I have discussed with my hon. friend many of those details before, and while it is quite proper, and perhaps useful, that he should draw attention to the large expenditure of this country, I agree with him in saying that our expenditure—speaking in a general sense—not of the Dominion alone, but of the provinces also, is extreme. I do not hesitate to say, that I think a great mistake was made at the time of Confederation in allowing the provinces to come in with the large advantages they possess. If the hon. gentleman takes up our expenditures, and sees of what they are composed, he will find that the amount of subsidies originally agreed on to be paid to the provinces—and, of course, that remark applies to all, and not to any special province—was excessive; that they at once started their Governments with a system of expenditure almost on a parallel to the system they had indulged in when they had that large source of revenue known as the Customs and Excise. The people of the country were, no doubt, warranted in coming to the conclusion that the Confederation—the welding together of a number of independent provinces—would at once give trade a stimulus, and make them richer than they were before. I fail to see the force of that argument. I think it is exceedingly doubtful whether the great difference in wealth can be shown from the mere fact that a certain number of provinces which, anterior to Confederation, had all the advantages of inter-provincial trade to as great an extent as they desired, should gain such an upwart spurt as to give us the increased wealth that floated into Canada up to 1873-4. No doubt other causes had much to do with it. While I am just as desirous as any gentleman can be, to admit that there were large advantages attendant on being brought together as a Confederation, still I think it was a mistake that the system was inaugurated on so expensive a basis, and I think it is a system we shall find it extremely difficult to maintain. Some of the Provinces are already beginning a policy of retrenchment in the abolition of the Second Chamber. It is highly important that economy should be practised, not only in the Administration of the affairs of the Dominion, but also of the Provinces. But if the hon. gentleman is going to accomplish anything he must adopt a very much broader and more statesmanlike course than he has taken this afternoon—simply carping at and finding fault with a few items of the expenditure of the late Administration, passing over an expenditure of twenty millions made by his friends, and finding fault with an expendlture of two millions. That is not the way the hon. gentleman is going to make the people of this country take a higher and better view of our position. I agree with him, it is well for us to consider if this expenditure cannot in some way be reduced, for, notwithstanding the way the national policy has been heralded in, I am sceptical as to whether it will give the country the large advantages which its friends hope for. That is a subject that can be discussed hereafter, and I will only say while the expenditure is a serious matter for consideration, it ought to be approached in a different spirit from that shown by my hon. friend, whose sole object seems to be to have a slap at the late Administration. I have shown that all the particular expenditures referred to by my hon. friend, have been adopted by the present Government, who thereby have entirely approved of the policy of their predecessors. I do not think he can rise in his place and in one sentence praise the present Administration because of the fulfilment of their promises to reduce expenditure, while the expenditure of their predecessors is the basis on which they estimate for the coming year, and in the next sentence condemn the late Administration because of their extravagance. I shall be glad if my hon. friend adopts the role of Joseph Hume or any other great economist, and he will, no doubt, do the country a great deal of good; but he must

follow a different plan from what he is now pursuing, if he wishes to make the people believe that his motives are patriotic, instead of being merely to cast reflections on the preceding administration. He may devote himself with very much advantage to the improvement of the finances of the country—that is, in the direction of reducing the expenditures, but to do so effectively he must criticize the Estimates that will come before this Chamber in the course of the next month. He must condemn the present Administration, because they have with their large majority—the largest majority, I suppose, that any Government ever had at their backs in the inception of a Parliament—larger than we had in 1873 under entirely different circumstances—come in professedly as economists to put things to rights in regard to the expenditure of this country, and with this strong majority, they are in a position to deal with this subject.

Hon. Mr. PELLETIER moved the adjournment of the debate.

The motion was agreed to.

The House adjourned at 6 p.m.

THE SENATE.

Tuesday, April 1st, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

OTTAWA LOAN COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. HAMILTON, (Kingston), from the Committee on Banking and Commerce, reported the Bill (D.) "An Act to amend the Act incorporating the Ottawa Loan and Investment Company," with several amendments.

Hon. Mr. AIKINS said that he had introduced this Bill. At its first reading he had been asked if it was customary for a member of the Government to take charge of a private bill, and had replied that it was not customary, but that there was nothing to prevent it. Since then he had made enquiries and found that it was a custom in which it was not desirable for a Minister of the Crown to indulge. He had since consulted with the gentlemen interested in the Bill, and they had placed it in Mr. Vidal's charge.

Hon. Mr. VIDAL moved that the Bill be printed as amended.

The motion was agreed to.

INTERNATIONAL TRADE.

MOTION FOR A RETURN.

Hon. Mr. BUREAU moved :—

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be transmitted to this House a copy of, or an extract from, every clause or article relating to Canada, contained in any treaty of commerce, convention or international regulation now in force between Her Majesty's Government and any foreign power, and a copy of every treaty of commerce which Her Majesty's Government may have concluded with any foreign power without granting or extending the benefit of such treaty to Her Majesty's Dominion of Canada.

He said : The subject of my motion is one of great importance, and my object is to place before this House and the country, facts which, in my opinion, are essential to the happiness and prosperity of the Dominion, and the circumstances which, in the present financial and monetary crisis, most closely affect us. Canada, from east to west, extends for 3,500 miles, and, from north to south, 1,700; and contains a superficial area of 3,330,000 square miles. Our territory exceeds by 394,000 square miles that of the United States of America. It is a little less than the whole of Europe, of which the superficial area is 3,620,000 square miles, and the population is 314,382,850. The logic of figures does not require any comment on my part, but the object which I have in view, renders it necessary that I should make some remarks on our commercial and political position. In England diverse doctrines are entertained respecting the Colonies of the Empire. One class has a tendency to favor the

complete and absolute independence of the larger colonies. The speeches which have been made upon that subject have not always been of a nature to encourage sentiments of loyalty towards the Empire. They ill-treat us, as well as the high functionaries they send to the colonies, by doing them the honor of saying that the positions of the latter are mere sinecures. And for us, poor colonists, still in our infancy, and under the paternal tutelage of the Empire, they are obliged to provide for our temporal and spiritual wants. Up to the time that Her Majesty's regular troops were withdrawn from the Dominion, they reproached us by saying that they were obliged at great cost to guard us during our infancy; to keep regular troops to protect us, and for which the people of the Empire were heavily taxed, and to pay the principal cost of the holy archbishops for taking care of our souls. The House will, no doubt, relieve me from the necessity of quoting from the speeches to which I have referred to prove my assertions, which you already have heard elsewhere. This is the estimation in which several distinguished statesmen in England hold the colonies. Have they ever, for example, dreamed of the value of their possessions in Canada? Have they ever attempted to profit by the advantages which our country offers, by all reports, for their surplus population, and for the entire world? We have room for millions and millions of souls. Christopher Columbus in discovering the new world has been an instrument of providence, for it is this continent which will become the granary of Europe, and for most of the countries of the old world; and it must also receive for centuries to come the surplus population of the civilized portions of the eastern hemisphere. Have we not a right, therefore, to express our surprise at the contempt which those men appear to entertain for us on the other side of the Atlantic, because we manifest a desire to govern ourselves, and to adopt a political, commercial, financial, monetary and economic policy which we believe to be essential to our progress and to our prosperity? Have we not a right to seek for markets for the disposal of the products of our rich territories? Why, for example, should we not have the right to sell or exchange our products of all kinds in France, with its population of 34,242,966, as the mother country can do in virtue of her treaties or commercial conventions with that nation? To answer these questions satisfactorily, let us now look at the long correspondence which has been submitted in response to two addresses, one dated 16th of March, 1876, and the other 18th of February, 1878, on the right to enter Canadian built ships in the ports of France. There is set forth in that correspondence in an eloquent manner, our legitimate pretension to construct vessels at Quebec, but will it not be equally just to see the commercial, the industrial and the agricultural interests generally claiming the same favors which have been demanded by the ship-builders of this country? After a very imperfect study of the question, permit me, in the course of my remarks, to state one of the causes of our sufferings in this crisis, so long and too protracted, which affects the entire world, Canada included. Commercial crises are ordinarily limited to a certain number of years, as were those which occurred in England and the United States in 1825, 1837, 1847, and 1857, and which rarely lasted more than three or four years. The existing depression has exceeded the ordinary duration of such crises, and there is nothing to indicate that we are approaching the end of it. The most populous countries appear to suffer more than others, and these commercial crises cruelly affect the artizans and those classes whose necessities are greatest in the cities and manufacturing centres. They are driven to crimes of all kinds in seeking for a remedy for the sufferings caused by these crises, even to attacking crowned heads with a fury and audacity which has no parallel in history. Demagogues mislead the famished people; secret organizations are formed everywhere with the avowed object of mutual protection against constituted authority. These meet in secret places, under cover of the night, where assassins are trained, instructed, and armed to basely assassinate Emperors, Kings, and the heads of constituted authority, civil and political. In this new phase of popular delusion the Government seek an effective remedy to satisfy the classes who are hungry and demand work, to procure for themselves the means of existence. In Prussia, for example, they contemplate returning to a protective tariff, whilst in England all

political parties agree in proclaiming freedom of trade as a means of alleviating the distress of the suffering classes by enabling them to procure food at the lowest possible price. And these economic doctrines are propagated amongst all classes of society. In England the nation is at the present time favorable to treaties of commerce ,which allow the easy disposal of merchandize and produce, and utilize their merchant fleet in all seas and in all the commercial ports of the world. In France, which has suffered less by the financial and monetary crisis than any other country, notice has been given of the abolition of all commercial treaties, in order that they may not suffer by any economic changes which are being proposed in other countries, and, above all, for fear of ruinous competition from English commerce and English manufactures. Not later than next December the treaties of commerce between England and France will cease to exist—at least France does not desire to continue the present arrangement any longer. Mr. Tirard, the new Minister of Agriculture and Commerce, who was appointed to that Department on the 5th of March last, is favorable to free trade, and has submitted to the Cabinet a commercial programme, with certain reservations, which would render his policy compatible with the interests of the industries of France, and I believe that Mr. Leon Say, Finance Minister, entertains the same ideas. Add to this the fact that twenty-three chambers of commerce in France have pronounced in favor of free trade, and we may ask is it not still possible that we may witness a continuation of the commercial treaties between England and France, and other powers. If these treaties should be continued we may hope that we will be benefitted thereby. To show the advantages of them to Canada, I may state what are the taxes raised by the general tariff, and the taxes imposed upon similar articles and goods by virtue of the conventional tariff in France, resulting from treaties of commerce, of laws and decrees which determine the nature of such imposts.

TREATIES OF COMMERCE AND NAVIGATION BETWEEN ENGLAND AND FRANCE.

Countries with which treaties have been concluded.	Date of Signature.	Date of Ratification.	Date of Termination
England.	23rd Jany., 1860.	4th Feby., 1861.	30th June, 1877.
do	23rd July, 1873.	4th August, 1873.	do
do	24th Jany., 1874.	30th Jany., 1874.	do

These treaties, not having been declared void, they remain in force until the expiration of one year from the date when notice of their termination should have been given. A treaty respecting copyright was also concluded between England and France, on the 8th Jany., 1852, and is still in force. The treatment of the most favored nation is explained as follows:—France has the right in England, and the latter has the right in France, in all respects to the treatment of the most favored nation. These two countries ought, consequently, to profit immediately and without condition in all favors or immunities, all privileges or reductions of tariff for the importation of merchandise, whether mentioned or not in the treaties, which are or may be accorded by France to any other State. The treatment of the most favored nation is equally guaranteed to those states, in France and in Algeria, by a measure of reciprocity in all that concerns transit, storage,

exportation, re-exportation, local rights, commission, formalities of customs, samples, trade marks, and also all that relates to the exercise of commerce and industry. The provisions of these treaties are not applicable to temporary prohibitions or restrictions which the Government may think it necessary to impose upon the admission or departure of that which concerns contraband of war, or for sanitary precautions. They consider, as British possessions in Europe only Great Britain, (England and Scotland), Ireland, and the Channel Islands. The treaties are, consequently, not applicable to Malta and Gibraltar.

GENERAL TARIFF.			CONVENTIONAL TARIFF	
All the Duties under this general tariff should be increased by 4 per cent.—Act of 13th December, 1873.				
ARTICLES.	DUTIES. Francs. Cts.		AUTHORITY FOR THE IMPOSTS.	DUTIES. Francs. Cts.
Peltries in bulk of England, Australia, &c.....	Free		1st May, 1861	Free
Wool (dyed).....	120		16th Nov., 1860	25
Feathers, for beds, of all kinds down, etc.....	53		11th Dec., 1866	3 50
Cheese — white — of soft paste	7 20		1st May, 1861	3
Cheese—other kinds	18 00		17th Jan, 1863	4
Fish (fresh water) fresh..	Free			Free
" prepared, otherwise than in pickle or oil	48		16th Nov, '60	10
" dried, salted or smoked, cod or other kinds	12			10
Lobsters, of all fisheries..	Free	Per thousand	1st May, '61	Free
Oysters	1 80		"	1 50
" pickled.....	6 00		"	6
Grain, for seed.....	Free			Free
Sugar, refined or partly refined, Candies, etc .	Prohibited	Except in the case of England, Belgium and countries subject to them.	8th Nov, '64	73 25
			4th " '68	and 4 per ct.
			30th Dec, '73	in addition—
		Other contracting nations.	17th Jan, '63	82 50 and
			30th Dec, '73	4 p.c. in ad'n
Molasses	63			63 00 and 4 per cent in addition
Wood.....	Free	Building timber, rough and simply squared with the axe, (cubic measure) sawed, being longer than 80 millimetres		Free

Hon. Mr. Bureau.

GENERAL TARIFF.			CONVENTIONAL TARIFF	
All the duties under this general tariff should be increased by 4 per cent,—Act of 13th December, 1873.				
ARTICLES.	DUTIES. Francs. Cts.		AUTHORITY FOR THE IMPOSTS.	DUTIES. Francs. Cts.
Flax and Hemp (raw) in tow and dressed.....	Free		16th Nov, '60 and 1st May,'61	Free
Hops	54		11th Dec, '66	12 50
Castings of Models weighing 15 killogrammes or more	8 40		12th Oct, '60	2 75
Iron of all kinds	Prohibited			Prohibited
Iron in grooved bars, *i. e.*, steel rails		Duties on bar iron, according to size, under the general tariff		
2nd class.....	90		22nd Oct, '60	6
1st "	132		11th Dec, '66	15
Cotton fabrics, Pure....	Prohibited		16th Nov, 1860	345
" unions, twills and ticking	"		"	15 %
Blankets	240		16th Nov, 1860	10 %
List (cloth)	Prohibited			Free
Shoes (o)	Prohibited			10 %
Hosiery	Prohibited			10 %
Clothing (manufactured) new and old, of all kinds	Prohibited			20 %
Paper—2nd class.....	96			
" —1st class.....	150		1st May, '61	8
Canadian books	Free		1st May, '67	Free
Engravings	360	And lithographs and ornamental port folios	1st May, '61 2nd Aug, '62	Free
Maps	360	Geographical, pocket and ornamental	2nd Aug, '62	Free
Music.....	360		2nd Aug, '62	Free
Labels	360	Printed, engraved or colonial		Free

GENERAL TARIFF.			CONVENTIONAL TARIFF	
All the duties under this general tariff should be increased by 4 per cent.—Act of 13th December, 1873.				
ARTICLES.	DUTIES. Francs. Cts.		AUTHORITY FOR THE IMPOSTS.	DUTIES. Francs. Cts.
Cards (playing)	Prohibited		1st May, '61 21st June. ,73 30th Dec, '73	15 % and 30c per pack
Work, in hides or leather	Prohibited	Comprising, consequently, boots and shoes, etc		10 %
Felt		Hats (silk hats, each 1.80) lining and sheathing, 120. to 123; other kinds 480 to 483	16th Nov, '60	10 %
New type..... ..	120		12th Oct, '60	8 %
Machinery and Mechanical appliances	30	Stationery (steam)	12th Oct, '60	6 %
" "	42	Steam, for navigation, with or without boilers	"	12 %
" "	48	Locomotives and rolling stock	"	10 %
" "	36	Tenders in iron		8 %
" "	72	" copper	"	"
" "	36	Cards not finished	"	10 %
" "	36	" to clean and open flax, wool, cotton, and other textile materials	1st May, '61	6 %
Apparatus (complete)....	48	For spinning	12th Oct, '60	10 %
"	18	" weaving	"	6 %
"	72	" the net trade	"	10 %
"	36	" making paper	"	6 %
"	18	" agriculture,	"	6 %
		Other than steam	12th Oct. '60	6, 8, 10 and 15 %
Tools	60	All iron, with or without handles	12th Oct, '60	10 %
"	150	Of iron, steel pointed with or without handles	"	15 %
"	210	All steel (scythes, sickles, files, circular or straight saws, and others not mentioned)	11th Dec, '66	20 %
Cutlery	Prohibited	Cutlery of all kinds	12th Oct, '60	15 %

Hon. Mr. Bureau.

GENERAL TARIFF.			CONVENTIONAL TARIFF	
All the duties under this general tariff should be increased by 4 per cent.—Act of 13th December, 1873.				
ARTICLES.	DUTIES. Francs. Cts.		AUTHORITY FOR THE IMPOSTS.	DUTITS. Francs. Cts.
Works in various materials	Prohibited	Mouldings not turned or polished, such as railway chairs, plates or other pieces of casting	12th Oct. '60	3
" "	"	Straight cylinder pipes, beams or columns (solid or hollow) etc	1st May, '61	3 75
" "	"	Polished and turnéd		
" "	"	Lined with tin, enamelled, or Japanned	12th Oct, '60	6 and 10
" "	42 to 60	Hardware, knees and spars for ships, tires for carts and waggons, &c, &c	"	8
Ships	40	Wooden, per ton	11 Dec, '66	2
"	50	Wood and iron, per ton	"	2
Furniture	18 p. c.	In bentwood, chairs, tables, bedsteads, &c	"	7
"	"	Other kinds	12th Oct, '60	10 %

The column "Authority for the imposts" means the treaties or laws, or ordinances fixing the nature of duty.

The answer to an address of the House of Commons, in March, 1877, shows that our Government had been under the impression that Canadian ships, offered for sale in the market of France, could be admitted on the same terms and conditions as English ships. The Canadian Government, convinced that this was so, adopted an Order in Council dated the 4th of February, 1875, on this subject, which was transmitted by Lord Dufferin, to England. It is followed by correspondence between Lord Dufferin, Lord Lyons, and the Duke Decazes. The following extract from a note addressed by the Duke Decazes to Lord Lyons, and dated Paris, August 16th, 1876, explains, in my opinion, in a satisfactory manner the question in dispute.

MONSIEUR L'AMBASSADEUR,—

I have received the letter which Your Excellency did me the honor of writing to me on the 8th of this month with regard to the duties imposed upon seagoing ships of Canadian build.

It would seem, from the tenor of this new communication, that Her Majesty's Government has not seized exactly the motives which do not permit us to authorize the granting of French registers to the above-mentioned ships, on their paying the same dues as those applicable to ships built in England. Your Excellency calls our attention truly to the fact that Canadian vessels, being absolutely and entirely British ships, the Queen's Government sees no reason to burden them, as they are on being imported into France, with heavier dues than those imposed upon other English ships.

I beg Your Excellency to remember that we have never contested the English nationality of Canadian ships any more than those of ships belonging to other British colonies.

That is not the question; it lies simply in this: Is the conventional tariff which protects English produce imported from Great Britain into France equally applicable to English colonies? Now, a doubt has never even arisen with regard to this question; it has always been well understood that the treaties of 1860 and that of the 23rd of July, 1873, which revived them, only stipulated for the Kingdom of Great Britain and Ireland, to the exclusion of English colonies.

The conventional tariff being, therefore, only applicable to the United Kingdom, the Government of Her Britannic Majesty will therefore recognize, as already stated in my letter of the 5th June last, that the French Administration

could not extend its working and benefits to Canadian produce without being authorized by a law, which, in the present circumstances, as I have already stated, would have no chance of being adopted by the legislative power.

The correspondence brought down in in the House of Commons, in response to an address dated the 28th of February 1878, on the same subject, does not give any new information. Our ship builders, under the general tariff which I have cited, have had to pay 40 francs per ton for wooden vessels, and 50 francs on vessels constructed partly of wood and partly of iron, with an additional four per cent. to the general tariff, imposed under the tariff of Dec. 30th, 1873, whilst ships built in Great Britain paid only two francs per ton under the commercial treaty, which, of course, could not be affected by the imposition of the 4 per cent increase. On the important subject of treaties of commerce and industry, I may be allowed to offer some remarks on the advantages which we, as well as other countries, might derive if restrictions on commerce, for which there is no necessity, did not exist. I need not say, that before long it will be necessary to enlarge our political sphere, and be subject no longer, in our legislative and executive powers, to the control and caprice of a Minister in the Colonial Office, who, with the best intentions, cannot know what is essential to the prosperity of Canada. It is for the men to whom are entrusted the destinies of this young country, to see what is necessary to be done, what is the increased liberty which we should have without prejudice to our fidelity to the British Crown. This is a fitting occasion to express how deeply we appreciate the happy advent in our midst of the Princess Louise, the noble daughter of the most honored of crowned heads and of the wisest and most virtuous of mothers. Her presence here will confer upon Canada the greatest benefits. But what have we to offer, it may be asked, in Canada to the country which may wish to enter into a treaty of commerce with us? I reply, have we not had a treaty of commerce with the United States, which was advantageous to both countries and which would have lasted to this day? if it had not been for the irritation of our neighbors who suspected, most unjustly, that we sympathised with the rebels in the Southern States. Well, we have still the same means of exchanging the products of our country; more, we have the wealth of our territories which we are willing to share with those who may desire to profit by it. I need not refer further to this subject: I have already mentioned it in the course of my remarks. Our principal source of wealth consists, and will always depend upon agriculture. The husbandman is peaceable and happy, and suffers little or none in times of commercial and industrial crises. He is a stranger to strikes, pauperism, and those causes which menace from time to time political and social order. In his fields, small or great, he reigns as master, he is generally fortunate, and finds his happiness at his own fireside. The earth rarely refuses him the necessarries of life, and, generally, he has a surplus which he can dispose of in the markets. The thrifty farmer can attain a competence, and is able to contribute to the settlement of his children in the same way. The statement of the products of Ontario, Quebec, New Brunswick, and Nova Scotia, according to the last census, is as follows :—

Wheat.....	18,500,000	bushels
Oats.....	45,000,000	"
Barley.....	11,500,000	"
Pease	10,000,000	"
Corn	3,800,000	"
Rye	1,000,000	"
Potatoes.....	48,000,000	"

Of working animals there were 950,000, and of farm stock 7,000,000 head. The annual yield of an acre of land, newly cleared, or well cultivated, is at least twenty bushels of wheat, eighty bushels of oats, or three hundred bushels of potatoes. This is what was stated in the report of a Committee on Colonization, of which I had the honor to be chairman, in April, 1860. In 1877, a very close calculation of our annual products exported was made, and showed them to be as follows :—

Products of the mine.....	$ 3,700,000
Manufacture	4,700,000
Fisheries.....	5,800,000
Forests.....	24,000,000
Agricultural	19,300,000
Animals and their products	15,000,000

Added to these figures, which speak so eloquently for a population of only 4,000,000, there is the fact that we have 5,500 miles of railway in operation, 190 miles of canals, and that our ship owners possess a fleet aggregating 1,200,500 tons.

Only four countries in the world, according to Trade and Navigation returns, are in advance of Canada. I attach very high importance to a knowledge of commercial treaties, and to their being understood by the Government and the public. Our Finance Minister and our Parliament, by a knowledge of such treaties, would avoid the danger of legislating on tariff questions, without having before them the facts necessary to enlighten them in their decisions. Was it not by culpable negligence, that we were deprived of the benefits of a convention with France, which permitted us to enter our vessels for sale in French ports at a duty of two francs per ton? We had given, in exchange for that privilege, to France, the right to enter the wines of that country in Canada, at a duty which was fixed by a convention. But what is the fact? One of those frequent changes which take place in the tariff was proposed, and adopted by the Legislature, and became law without any reference to international courtesy. Without diplomatic correspondence, and without notice to France, the duties on French wines were increased, and, naturally, the agreement between France and this country, which allowed our ship builders to enter their vessels for sale in French ports at a duty of two francs per ton, was repealed. I should also draw the attention of the Government to the fact that by a special favor accorded to the French Canadians for the encouragement of their literature, books printed in the French language in Canada, are admitted free of duty into France, while duties ranging from 60 to 183 per cent. — equal to prohibition — are levied on books from other countries.

Hon. Mr. AIKINS—My hon. friend who has just spoken has had an opportunity of putting his views, on this subject, before the House very fully. He shows that he has taken a deep interest in it, and that he has carefully collected and arranged a great deal of information. However, there is one difficulty in the way of gratifying his request, and that is that the documents, extracts from which he asks for, are not in the possession of the Government, and, that being the case, they are not in a position to accept the motion.

Hon. Mr. BUREAU—I must say that I am surprised at the curt but candid reply of the hon. the Secretary of State, but I would remind him of the fact that a similar address has been proposed and accepted by the Government. I confess that I am pained to see the indifference which the representatives of the Cabinet of this House have manifested towards this important matter. Their treatment of me personally has not wounded me in the least, but, I repeat, I am pained to witness the disregard which they have shown for the public interests involved in this great commercial question. They have declared themselves the authors of a national policy, they have agitated the country from one end to the other on the subject, yet when a matter intimately associated with the development of our trade and industries is brought before the House, we are told by the hon. Secretary of State that there are no such papers as I have asked for. In that I think the hon. gentleman is mistaken. There is information of a most interesting character, at the command of the Government which, if they would produce it, would make a respectable volume. There are men of intelligence throughout the country who care nothing for personal disputes between politicians, but who do care very much for the prosperity of the country, and this is one of the questions in which they are interested deeply. The time has come when negotiations should at once be opened with France to obtain a restoration of the privileges which we have lost. The commercial treaty with England will expire in December next, and the Government should endeavor by resorting to every means in their power, to secure the admission of Canadian ships into French ports, and of our products into France and other countries on favorable terms. The government, however, seem to be quite indifferent as to this subject, and the opportunity will be allowed to pass unimproved.

Hon. Mr. AIKINS—I regret that any remarks made by me should have excited the ire of the hon. gentleman. I can assure him that I had no intention of treating him with disrespect, and I would be glad if I could comply with his request, but the fact is as I have stated,—the documents are not in our archives, and

hence we cannot furnish the extracts from them which the hon. gentleman desires.

Hon. Mr. TRUDEL—I regret that my hon. friend (Mr. Bureau) did not give a resume of his speech in English, as I desired him to do. I consider the question which has been so ably and skilfully treated by him, a most important one. In fact, it bears an important relation to the national policy which the Government has submitted to Parliament this session, and any information of the character which my hon. friend asks for, which the Government could bring down, would be most interesting to the House and the country at the present time. It is most desirable that we should know officially the commercial relations of the Dominion with all the countries of the world, especially the great nations. I do not construe the reply of the hon. Secretary of State in the same way that my hon. friend (Mr. Bureau) does. I understood him to say that the Government has not, in the archives of the Dominion, the documents which are asked for, and, therefore, that it is impossible for him to place them before the House as official papers.

Hon. Mr. AIKINS—Hear, Hear.

Hon. Mr. TRUDEL—At the same time, let me express the hope that the hon. Secretary of State will not lose sight of the importance of informing the House and the country of the relations existing between Canada and the commercial world, and the necessity of supplying the public with the information sought for, in order that they may understand the position in which England has placed us by the treaties she has made, from time to time, with other nations. My hon. friend's remarks will appear in English, no doubt, in the Senate Debates, and I would call the attention of hon. gentlemen who are not familiar with the French language, to the important information contained in his speech.

The motion was withdrawn.

THE PUBLIC SERVICE OF CANADA.

NOTICE FOR A RETURN.

Hon. Mr. POWER moved :—

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House a statement shewing :

The names of all persons who received any appointment or engagement, either permanent or temporary, in the public service of Canada, whether by Order in Council or by the authority of the head of any department, or of any subordinate officer thereof, between the tenth day of October last and the first day of April, instant ; together with the several dates of the appointments or engagements, and the rate of salary or wages in each case.

Also, the names of all clerks, messengers and other employes, if any, who were transferred from temporary to permanent employment in and under the various departments of the public service, between the tenth of October, 1878, and the first of April, 1879, and the rates of salary or wages paid to each when employed temporarily and permanently, respectively.

And also, the names of all persons who resigned or were removed from the public service between the above dates, together with the respective dates of such resignations and removals.

He explained that his object was simply to bring down to the present date the information asked for recently by the hon. senator for Saugeen.

Hon. Mr. CAMPBELL said that the Government had no objection to the address, but he would call the hon. gentleman's attention to the fact, that the information he desired to obtain was of a different character from that which the hon. Senator for Saugeen had asked for, and if the object was to draw a comparison between the two statements, the return would be useless.

The motion was agreed to.

THE CAMPBELL DIVORCE CASE.

EXEMPLIFICATION OF JUDGMENT PRODUCED.

Hon. Mr. REESOR moved :—

That the Clerk be ordered to lay on the Table of this House, the exemplification of Judgment in the matter of a Bill in Chancery.

ELIZA MARIA CAMPBELL,
Plaintiff,

Against

ROBERT CAMPBELL,
Defendant.

which is now in the custody of the Clerk of this House.

The motion was agreed to.

Hon. Mr. REESOR moved :—

That an Order of the Senate do issue to bring to the bar of this House, James Keith Gordon of the Town of Whitby, to give evidence in the matter of Eliza Maria Campbell, who prays for a judicial separation from her husband, Robert Campbell.

The motion was agreed to.

BANKING LAW AMENDMENT BILL.

IN COMMITTEE.

The House, according to Order, was put into a Committee of the Whole on the Bill (G), "An Act to amend the Act relating to Banks and Banking, and the Acts amending the same."

On the second clause, preventing banks from advancing money on stocks,

Hon. Mr. DICKEY asked why the operation of this clause was postponed for six months.

Hon. Mr. CAMPBELL explained that if it were put in operation at once, it might prove injurious to the banks. A desire had been expressed to extend the period still further. It was necessary that the banks should know before-hand how long they could engage in transactions of this character.

Hon. Mr. RYAN said that this notice was also important to those who had borrowed money on such securities. In that sense it was beneficial to the public, because, if men who had borrowed money in that way were required to pay up their loans without delay, it might cause them great inconvenience.

The clause was adopted.

On the fourth clause, giving the Governor in Council power to reduce the capital stock of banks applying for such reduction,

Hon. Mr. RYAN said that he still held the opinion that it would be better to require banks to come to this Parliament, and make known their circumstances to the public before reducing their capital stock. Banks which, by mismanagement, should be brought to the position which this clause contemplated, ought, in justice to the public, make known their affairs and have them fully discussed by the people, as represented by the Legislature.

Hon. Mr. WILMOT thought that, in reducing the capital of any bank, a limit should be fixed below which the reduction should undergo. The minimum ought to be $1,000,000. That was the almost unanimous opinion of bankers with whom he had conferred on the subject.

Hon. Mr. MILLER thought that the Government could not reduce the capital of any bank below the limit fixed by law. He could find no objection to vesting this power in the Privy Council. They were as likely to reach a sound conclusion as Parliament. Looking at the steps necessary to be taken by the shareholders, and the fact that everything would have to be done as if the application were made to the Legislature, he could not see how any danger could possibly arise from giving this power to the Governor in Council, whereas, it might be very important to the monetary institutions of the country that proceedings of this kind should be attended with as little publicity as possible.

Hon. Mr. DICKEY thought that the power to reduce the capital stock of a bank ought to be limited, say to half the amount of the subscribed capital.

Hon. Mr. PENNY thought that these things should have all the publicity that was possible The real ground for adopting this clause was that the principal persons interested were the shareholders. They were now at liberty to increase their capital under certain circumstances, by complying with certain forms, and he saw no reason why they should not be allowed to reduce their capital in the same way. The convenience of it was very evident. It would enable a bank, on becoming conscious that its capital was reduced, to get that reduction confirmed, without having to wait for an Act of Parliament. If a proviso were added to the clause, to say that the reduction shall only be made in such a manner as shall be consistent with the General Banking Act, it would over-

come all the difficulties which had been suggested.

Hon. Mr. CAMPBELL said that he had no objection to limiting the reduction to the minimum sum mentioned in the General Banking Act, $200,000.

The clause was amended as follows:

Page 3, line 12,—After 'order' insert 'so as the sum to which the said capital is reduced shall not be lower than the minimum sum, which the Act hereby amended fixes as the minimum amount under which a bank may go into operation.'

Hon. Mr. CAMPBELL said that another point to which his hon. friend from Victoria, (Mr. Ryan), had referred—the punishment provided for gambling in stocks—had received his attention, and he had come to the conclusion not to amend the clause. The offence was made a misdemeanor, but the punishment was left to the discretion of the judge.

Hon. Mr. RYAN said that there was one other point to which he had called attention—the necessity of applying the rule, which was now established for chartered banks, to savings banks as well. He supposed that such a provision could not be introduced into this Bill, but he hoped that the Government could give the House some assurance that such a measure would be introduced, because the practice to which they desired to put a stop could still go on through the medium of savings banks.

Hon. Mr. CAMPBELL said that he had been looking for an opportunity to speak to the Finance Minister about it, but that gentleman had been so busy that he had not been able to have a conversation with him on the subject. Clearly, no provision, such as the hon. Senator had suggested, could be incorporated in this Bill.

Hon. Mr. DEBOUCHERVILLE, from the Committee, reported that they had gone through the Bill, and had directed him to report the same with an amendment.

The amendment was concurred in.

Ordered, that the Bill be read a third time to-morrow.

Hon. Mr. Penny.

WELLAND RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. BENSON moved the second reading of the Bill (12) "An Act to authorize the Welland Railway Company to convert their six per cent Debenture Bonds into five per cent Debenture Stock, and for other purposes."

He said, the object of the Bill was merely to enable the Welland Railway Company to issue debenture stock in lieu of mortgage bonds. The Bill was in the interest of the holders of the mortgage bonds.

Hon. Mr. DICKEY said that he had no desire to discuss the provisions of this Bill at the second reading, but he would like to draw the attention of his hon. friend to the fact, that the Bill was of a purely local nature, and in his opinion, this legislation should have been sought for in the Legislature of Ontario. He would refer his hon. friend to the 92nd Section of the British North America Act, sub-section 10, as to matters which were within the cognizance of the Dominion Parliament.

Hon. Mr. BENSON said that he would be prepared to prove to the satisfaction of the committee to which this Bill would be referred, that the company's charter enabled them to engage in shipping, and consequently they were obliged to apply to this Parliament for the legislation which they required.

The Bill was read the second time, and referred to the Committee on Railways, Telegraphs and Harbors.

KINGSTON AND PEMBROKE RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. HAMILTON (Kingston) moved the second reading of Bill (24) "An Act to amend the Act incorporating the Kingston and Pembroke Railway Company."

Hon. Mr. DICKEY said this was another Company whose Bill should come before the Legislature of Ontario.

Hon. Mr. MILLER said that it was important in regard to both these Bills that the second reading should not be considered an affirmation of the principle of either of them, and that the Committee to which they would be referred should have the right to look into this question which had been raised by the hon. Senator from Amherst.

Hon. Mr. BENSON had no objection to such an enquiry.

Hon. Mr. CAMPBELL said he had examined the original charter of the Kingston and Pembroke Railway, which was passed in 1871. The preamble gave its character, and showed that it enabled the Company to construct a Railway from Kingston to Pembroke, and to connect with railways in the Province of Quebec by means of a ferry; and consequently it came within the jurisdiction of this Parliament.

The Bill was read the second time, and referred to the Committee on Railways, Telegraphs and Harbors.

DOMINION LANDS IN MANITOBA BILL,

IN COMMITTEE.

The House, according to Order, was put into a Committee of the Whole on the Bill (I) "An Act to explain and amend the Act respecting the appropriation of certain Dominion Lands in Manitoba."

Hon. Mr. MONTGOMERY, from the Committee, reported that they had gone through the Bill, and had directed him to report the same to the House without any amendment.

Ordered, That the Bill be read a third time to-morrow.

THE GAZETTE PRINTING COMPANY'S BILL.

SECOND READING.

Hon. Mr. FERRIER moved the second reading of Bill (23) "An Act to incorporate the *Gazette* Printing Company."

Hon. Mr. HAVILAND thought that this was a measure which should be passed by the Legislation of Quebec. He did not see the necessity there was for coming to this Parliament for such an Act.

Hon. Mr. CAMPBELL said the chief place of business was in Montreal, but the *Gazette* had subscribers, and was obliged to collect accounts more or less in, all the Provinces of the Dominion.

Hon. Mr. PENNY said that he had no objection to the Bill, but he thought that all such measures should be enacted by the local legislatures. There was one printing company in Montreal whose charter had been obtained by a local act, and it was as well incorporated as if the measure had been obtained from the Dominion Parliament.

The Bill was read the second time.

Hon. Mr. FERRIER moved that the Bill be referred to the Committee on Standing Orders and Private Bills.

Hon. Mr. CAMPBELL said that another reason had been given why this Parliament should pass such bills as this. Supposing there was a joint authority, it was always in the interest of the Dominion that the Federal Parliament should arrogate to itself the right of passing those bills.

Hon. Mr. DICKEY confessed that he had no great sympathy with this view. It was the argument of the strong man that he should take hold of everything that he could. It was an argument that this Parliament should absorb the business that properly belonged to the Local Legislatures. As he understood, when a company was incorporated, and had business in any province in the Dominion, it could collect its debts in all parts of Canada. At the same time, it appeared that there were precedents for this Bill in the incorporation of other printing companies, and there could be no objection to this company being treated as others had been.

Hon. Mr. MILLER quite agreed with his hon. friend (Mr. Penny), that a provincial act would be just as good as this. At the same time this Parliament had the power to pass such Acts, and as the parties who desired incorporation pre-

ferred to come to this legislature, he did not see why their request should not be granted.

Hon. Mr. BELLEROSE said he was happy to observe that others were beginning to look at this question in the same light that he had always viewed it. He had on former occasions risen in his place to oppose the passage of such bills by this Parliament He referred to the clause in the British North America Act which reserved local measures to the exclusive jurisdiction of the local legislatures. Consequently, it would be illegal for this Parliament to exercise powers which it did not possess. He had taken this position for years past. There had been a good deal of talk about a legislative union, and the moment the people found that the local legislatures were of no use, there would be but one voice in the Dominion asking for such a change. That would come soon enough without trying to hasten it. It would be better for Quebec and the smaller provinces to stick to the constitution, and reserve to the local legislatures the rights and privileges which were guaranteed to them by the British North American Act. He believed that if this Bill, like the one for incorporating the L'Assomption Bridge Company and other local measures, were attacked on this ground, it would be found that the Dominion Parliament had no right to pass them. He thought it would be well to refer this Bill to a committee to ascertain whether the Dominion Parliament had any right to deal with it. The constitutional question being settled, they could then deal with the measure itself, without any doubt as to the powers which they possessed.

Hon. Mr. MILLER thought that his hon. friend had no need to fear any danger of a legislative union, but if such a change should ever occur, Quebec, while it had such able champions as the hon. gentleman, would be able to take care of itself in the future, as it had done in the past. If the operations of the *Gazette* Printing Company were confined to the Province of Quebec, there could be no doubt that it should get its charter from the Legislature of that Province, but the *Gazette* had a very large circulation in other Provinces beside Quebec, and its business operations were spread all over the Dominion. That would take this Bill out of the clause which gave exclusively local matters to the Provincial Legislatures.

Hon. Mr. DICKEY sympathised with the views expressed by the hon. Senator opposite (Mr. Bellerose). He (Mr. Dickey) had objected to the two railway bills which had just been read a second time, and would also have objected to this, if he had not been met by the statement that the Toronto *Globe*, the Toronto *Mail*, the Ottawa *Citizen*, and other newspapers had been given Acts of incorporation by this Parliament. There was no occasion to appoint a Special Committee to examine these bills, and report upon their constitutionality. Under the Supreme Court Act, they could be referred to the Judges of the Supreme Court for their opinion.

The motion was agreed to.

BILLS INTRODUCED.

The following Bills from the Commons were introduced, and read the first time:

Bill (27) "An Act to amend the Act to Incorporate the Ontario and Pacific Junction Railway Company of Canada,"—Hon. Mr. Alexander.

Bill (40) "An Act to Incorporate the Napanee, Tamworth and Quebec Railway Company."—Hon. Mr. Seymour.

The House adjourned at 5.30 p. m.

THE SENATE.

Wednesday, April 2nd, 1879.

The Speaker took the chair at three o'clock.

Prayers and routine proceedings.

THE CAMPBELL DIVORCE CASE.

MOTION FOR A RETURN.

Hon. Mr. KAULBACH moved:

That the Clerk be ordered to lay on the Table of this House, the exemplification, which is

now in his custody, of the Judgment entered and docketed on the 27th October, 1875, in the Court of Queen's Bench, County of York, Province of Ontario, in the cause, Robert Campbell vs. George Gordon.

Hon. Mr. DICKEY said that the opinion of the House seemed to be, when this matter was under discussion the other day, that the only paper which was required was an exemplification of proceedings by the petitioner in the courts, against the respondent. The paper asked for by the hon. gentleman was an exemplification of a case in which the petitioner was only concerned indirectly. Under the circumstances it might be a question whether this document came under the rule which had been laid down by the leader of the Government the other day.

Hon. Mr. MILLER said that the understanding at which the House had arrived the other day, was that only such papers as had reference to proceedings instituted by the wife, against the husband, in the courts, which had gone to judgment, should be received and read with the petition. The true objection to the motion before the House was that the exemplification, if anything at all, was evidence for the respondent. If it should be required at any subsequent stage of the proceedings it could be ordered by the Committee to which the matter might be referred. The hon. gentleman's purpose would be served by getting it through the Committee instead of this irregular way.

Hon. Mr. CAMPBELL thought that the motion was, at all events, premature. There was no occasion for the production of the paper at this stage of the proceedings. The hon. gentleman should withdraw his motion and be content with the knowledge of the fact that this paper was amongst the archives of the House, and could be procured if he desired it, when the case came before a Committee.

Hon. Mr. KAULBACH said that it was impossible to say what might be done before the second reading of this Bill. The whole matter might be referred to the Judges to consider whether this Parliament should deal with it at all, and it might be important, in many ways, to have this exemplification before the House. The hon. Senator from Amherst was mistaken in supposing that the petitioner was not directly interested in that case. He was very materially concerned in it, as the House would see when they were informed that it was an action for the seduction of the petitioner brought by the respondent against George Gordon.

Hon. Mr. MILLER—The hon. gentleman is out of order.

Hon. Mr. KAULBACH contended that he had a right at any rate, to have the paper laid upon the table of the House whether it was important or not, or whether it could be used at this stage of the Bill, or would not be necessary until it was called for by the committee. Still, if the leader of the House thought that the motion was premature, he would defer to the hon. gentleman's judgment, and ask leave to withdraw it.

Hon. Mr. CAMPBELL thought that it would be going beyond the duty of the House to ask for the document at the present time.

The motion was withdrawn.

THIRD READINGS.

The following bills were read the third time and passed :

Bill (G) "An Act to amend the Act relating to Banks and Banking, and the Acts amending the same." (Hon. Mr. Campbell.)

Bill (I) "An Act to explain and amend the Act respecting the appropriation of certain Dominion Lands in Manitoba." (Hon. Mr. Campbell.)

THE PARLIAMENTARY PRINTING.

EIGHTH REPORT OF THE PRINTING COMMITTEE ADOPTED.

Hon. Mr. SIMPSON moved the adoption of the eighth report of the Joint Committee on Printing. He said that in several instances where hon. members desired special information contained in the returns to addresses which had not been recommended to be printed, they had

been furnished with written copies, thus saving a good deal of expense.

The motion was agreed to.

DOMINION DAY BILL.

SECOND READING.

Hon. Dr. CARRALL moved the second reading of Bill (H) "An Act to make the first day of July a public holiday, by the name of Dominion Day."

He said: This is one of those subjects that could be amplified to an unlimited extent; but I shall not venture upon any remarks which shall give rise to a protracted debate. I have always had a great desire to be the father of this Bill, and I find that already, on the other side of the House, the idea has been taken up by some hon. gentleman, with a view to depriving me of the honor of consecrating the day of the birth of the Dominion. There is no question about it; I undoubtedly was the first to propose that the first of July should be made a statutory holiday. Eight years ago, when I had a seat next to that which is now occupied by the hon. Secretary of State, I made the proposal, but it was thought inexpedient to pass such a measure then, because some of the provinces were new in the harness of Confederation, and were restive—Nova Scotia, to wit. It was thought that such a measure might provoke acrimonious discussion, and, therefore, I refrained out of deference to a wiser man than I ever hope to be, (the leader of this House), from pressing the Bill. It was withdrawn, but still I always felt that I would some other day introduce it again. If you reflect upon it, you will come to the conclusion that the time may arrive when this half of the continent may become a separate nation. I hope that day may be far distant, but I think we should fix upon some national holiday, and educate the rising generation to revere the flag under which we live. If we turn to history, which has its roots in the past, far far away, we find that every country has its national holiday. In a portion of our own mighty empire it is set apart and sanctified with the prefix of Saint—St. George, St. Andrew and St. Patrick. I believe that some gentlemen object to this Bill on the ground that we have too many holidays. I, for one, hold that the birthday of our Sovereign, whom we all love and honor, is a changeable holiday. It may be shifted, at any time, from the sunny spring to chilly November, when the youth of the country would not be able to take advantage of the day, for climatic reasons. Although I am aware that flags, banners and bands will celebrate always, while we live, under a monarchical Government, the birthday of our Sovereign, it is a consideration worthy to be taken into account, that young men only have a holiday in some of the provinces by the courtesy or caprice of their employers, and are expected to be grateful for it. I believe that Dominion Day, in some of the provinces, is a public holiday, but it is not a fixed holiday. It is so by sufferance only, on the part of employers. Some philosopher, I think it was Johnson, once said that patriotism was the last refuge of scoundrels. While I admit that apothegms are generally correct, because based on the experience of nations and groups of mankind in my particular case it does not apply, I have always loved the Dominion dearly. I helped to bind it together, and I have worked since with all the energy I possessed by vote and voice, to consolidate it. While they have in Lower Canada and other provinces of the Dominion so many saints' days and holidays, I think we should have one day which should be observed throughout the Dominion as the anniversary of Confederation. I think we ought to pass this Bill, particularly, at this time, when the Dominion, like the mighty empire of Rome is so large, that it is always in rebellion in some part of it. British Columbia is irritated and restive, and now is the time to legislate for a complete crystallization of the factions of the Dominion into one harmonious whole. I have no desire to make a spread-eagle speech, but I speak my own feelings, claiming to be a patriotic Canadian, descended from a race of patriotic Canadians—one of the oldest families in Canada.

Hon. Mr. CAMPBELL—No one, by feeling and exertion, is better entitled than my hon. friend to propose that the anniversary of Confederation be a public holiday. Some years since, when a simi-

lar measure was before Parliament in this House, the Government thought that it was best that it should not become law then. There was a good deal of uneasy feeling at the time in some of the provinces of the Dominion, and it was thought that to make Dominion Day a compulsory holiday, as it were, would be distasteful to the community, and that it would, instead of promoting a kindly sentiment, give rise to a feeling of irritation in those portions of the Dominion where that uneasiness prevailed. I hope that the feeling of dissatisfaction has passed away in all the provinces. I think it has, and if we are now more united than we were then, and are ready to observe the anniversary of the formation of the Dominion as a day of which we are proud, as a day which we think marks an event which has contributed to the prosperity of the country, it seems to me that this Bill should pass. I hope and trust that the feeling which I have ventured, for an instant to describe, is the one which obtains all over the Dominion. If so, then the policy of the Government would be—indeed it was so on the former occasion, though it took a different direction—to endeavour to pursue that course which is likely to encourage, cherish, and keep alive that feeling. I should be glad to see the House adopt the motion which has been made.

Hon. Mr. CORNWALL—I confess that I am sorry to oppose, in any way, a measure in which my hon. colleague from British Columbia takes an interest, but I think it is my duty in this case to do so. Although I agree, to a certain extent, with the preamble of the Bill which he has brought before this House—that British Columbia became nominally a part of the Dominion in 1871—yet, I must say, that, so far as that Province is concerned, the union, up to the present time, has not been entirely concluded or consummated. It has not been so consummated as to render it expedient that we should establish any particular day as a recognition of Confederation. Prior to the first of July, 1871, British Columbia and the Parliament of Canada severally agreed upon certain terms of union, under which the former should become a portion of the Dominion. Before that date the Imperial Government, by order in council, under the provisions of the British North America Act, declared that British Columbia had so become a part of the Confederation. These terms of union and obligations to which I have referred, were solemnly entered into by the Legislature of British Columbia on the one hand and the Parliament of the Dominion on the other, and were the very essence of the contract. Since then British Columbia has invariably done all that she undertook to do, but the Dominion of Canada, although eight years have since elapsed, has not carried out her part of the solemn obligations by which she bound herself, and I am forced to hold the unwelcome opinion, that Confederation is at present only nominal instead of real. I confess that, holding such a view, I cannot lend myself to setting aside any particular day which shall commemorate an event which has not yet occurred. In saying this I do not wish the House to doubt for a moment my earnest loyalty both to the Dominion and Confederation. I trust that under the present auspices, and what shall be done in the immediate future, all obstacles in the way of complete confederation will soon be done away with, and that an iron bond will soon so closely unite us that there can be no question whether Confederation is merely nominal or a reality. When that is done I shall be the first in this House to rise and assist my hon. friend from British Columbia in carrying into effect the object he has in the Bill which he has laid before us.

Hon. Mr. HAVILAND—British Columbia is certainly in a peculiar position in this House at present, for we have two hon. members originating a Bill to declare the 1st of July a statutory holiday, and we have an hon. member, who has just resumed his seat, opposing it, and calling the union a nominal one since 1871. I also think that the hon. Senator, (Mr. Cornwall), is in an anomalous position, because he was, at the opening of this session, the mover of the address in the reply to the Speech from the Throne, congratulating the country on the position of everything, and now we have him saying that the union of the Provinces is only nominal.

Hon. Mr. CORNWALL—I have again congratulated the country on the change in the position of affairs.

Hon. Mr. HAVILAND—I should be very sorry myself, as a representative of the smallest province of the Dominion, to see this Bill withdrawn. I believe, myself, that Dominion Day ought to be a public holiday. We know that year after year it is so observed, being set aside by proclamations of the Lieutenant Governors in the various provinces as a day of rejoicing. I think, myself, that if there is one day which we should commemorate more than another, it is the anniversary of the union of the provinces into one Dominion. I believe that we should have a public holiday. Whatever grievances there may be in British Columbia, nobody can deny that we are a greater country, that we have more influence politically, commercially and every other way, and that our future is brighter now, than when we were a number of disintegrated provinces.

Hon. Mr. MILLER—I rise to take exception to one or two observations which fell from the hon. leader of the House. The hon. gentleman remarked that the hon. Senator from British Columbia was the most suitable member of this House to bring this measure before it.

Hon. Mr. CAMPBELL—I beg the hon. gentleman's pardon: I said that there was no one more suitable.

Hon. Mr. MILLER—Even with that explanation, I should like to know whether it is true that the Local Legislature of British Columbia is at the present time threatening secession; and, if so, why it is that a representative of that Province is a suitable mover of such a bill as this? I presume that these reports, which we see in the press, can have no foundation in fact. I sincerely hope that they have not, but I think that my hon. friend should be in a position to give the House, before the Bill has been read a second time, some satisfactory iniormation with regard to what has appeared in the newspapers about a local agitation of that kind in the Province from which he comes.

Hon. Dr. CARRALL—I do not think that it comes with a good grace from any gentleman who represents Nova Scotia to question the loyalty of the representatives of British Columbia. The hon. gentleman from Richmond does not observe, on all occasions, becoming reticence. It is true that the Local Government of British Columbia, a small body of men, following up a previous resolution of a former Government, did unwisely put in the speech from the Throne words for which, if I had been in the Governor's place, I would have put them in jail. They were words which should not have been used. I am certain that there are enough Canadians, apart from other loyal subjects of the Empire, in that country, to hold it with hooks of steel to the Dominion. I was one of those who made the terms of union, and I shall do my utmost to hold these provinces together as one Dominion extending from ocean to ocean.

Hon. Mr. PENNY—The sentimental side of this question has been discussed, but there is a business side of it also—whether it was desirable to add another statutory holiday to those we have already. There are a great many bank holidays in the year, and, as a representative of a great commercial centre, I do think that we should consider something more than the sentimental aspect of the question in dealing with this measure. It is a rather serious matter in a country where the season is so short, to take another working day out of the year, and that is especially so in the province from which I come. We all know that in Quebec there are a number of days which the people are bound to observe as holidays, to an extent beyond what is prevalent elsewhere.

Hon. Mr. BUREAU—Too many of them.

Hon. Mr. PENNY—I did not say that.

Hon. Mr. CAMPBELL—This is one of them.

Hon. Mr. PENNY—But it is not obligatory now.

Hon. Mr. CAMPBELL—It is, if the Lieutenant Governor proclaims it a public holiday.

Hon. Mr. PENNY—I do not say that it would be wrong to observe it as a holi-

day, if it does not add to those now in force, but I should be sorry to see a Bill passed without some good reason for it, which should add to the statutory holidays. If it did not do that, I would not object.

Hon. Mr. KAULBACH—I would not have risen to speak on this subject, if the hon. senator from British Columbia had not questioned the loyalty of the people of Nova Scotia.

Hon. Dr. CARRALL—I do not question your loyalty to yourselves.

Hon. Mr. KAULBACH—We are loyal not only to ourselves, but to the constitution and the country. I, as an ardent supporter of Confederation, with full faith in it, and happy in its success, feel that we should all unite in making Dominion Day a statutory holiday. In effect it is so now, by proclamation, in the different provinces. I feel, as a Nova Scotian, and now as a Canadian, that our brightest hopes have been realized with regard to the great future of this country. I believe that under one flag and one constitution, with good government, we will grow and prosper, and become the brightest jewel in the British Crown.

Hon. Mr. DEVER—As a representative of New Brunswick, I feel it my duty to say that since Confederation has been carried in that Province, I have seen nothing that would lead me to suppose that Dominion Day was not a statutory holiday. Every year by a majority of the people it has been kept sacredly; the stores have been closed, and business has been suspended, with very few exceptions. Nothing, I am sure, would give greater satisfaction to the people of New Brunswick, than to feel that it was looked upon as a national holiday. You are all aware of the manner in which Confederation was opposed in that Province. Opposition to union was worked up by men who, I am sure, were sincere in their belief that they were pursuing a right course, but they were defeated, and those very men are, I believe, to-day prepared to give all the *eclat* they can to the event which they once thought would bring disaster to that Province. I think I can safely say that there is not one of them who does not admit that Confederation, properly worked, will cause great and lasting benefits. Therefore, I shall cheerfully give this Bill my support on behalf of the people whom I have the honor to represent.

Hon. Mr. LEWIN—I hope that the House will pause before they add another holiday to the number we already have. I observed that there is a bill now before Parliament to add four more. Really, these interruptions to business are a great nuisance. It is a serious inconvenience to business men to have the banks and public offices so frequently closed during the year, and the benefit to the persons employed in these institutions is very doubtful, indeed. I think that the feeling of the country is averse to increasing the number of holidays. If it is desirable that the day should be so observed, it is in the power of the Local Governments to proclaim it a public holiday. I therefore move that the Bill be not now read the second time, but that it be read the second time this day six months.

Hon. Dr. CARRALL—The hon. gentleman will observe that the names of Provinces where there are no days of grace are omitted from Bill.

Hon. Mr. MACPHERSON—I do not think that the passing of this bill would cause the inconvenience which the Hon. Senator from Montreal, (Mr. Penny), apprehends, because Dominion Day has been observed, as a matter of fact, in all the Provinces every year, or almost every year, since Confederation. Therefore, all that this Bill does is to declare it a statutory holiday, and cause it to be observed uniformly throughout the Dominion without the action of the Local Governments. I do not see any commercial objection to this Bill, and I do think that, even from a sentimental point of view—at all events, from a national stand-point—that the anniversary of the day on which all these Provinces were united, should be celebrated throughout the whole Dominion under an Act passed by this Parliament. I am disposed to agree with the Hon. Senator from St. John that it is not desirable to multiply the bank holidays to which he refers, and I think that to fix them upon days which are not general holidays would be attended with very great inconvenience. For

that reason, I hope that the Bill now before the other House will not pass, and that this measure will be accepted in place of it. We would then have the Queen's Birthday, Dominion Day, and the other statutory holidays, so that I hope the other Bill will not be pressed. It is a very great public inconvenience to have the banks closed on days on which all other places of business are open. People come into town, not knowing that the day is a bank holiday, and are put to great inconvenience. The passing of this measure will not create any inconvenience, and it is only doing by act of this Parliament what is done every year by proclamation of the Lieutenant-Governors in the several provinces.

Hon. Mr. McMASTER—I agree with the hon. Senator from St. John, (Mr. Lewin), that it is objectionable to increase the number of holidays, but I think that his objection applies to the Bill in the other House more than to this. I do not see how any inconvenience could result from making Dominion Day a public holiday, and I hope this measure will become law.

Hon. Mr. MILLER—I am sure that the House must have been as much surprised as I was myself at the very excited manner in which the hon. Senator from British Columbia, (Dr. Carrall), alluded to my innocent remarks on the introduction of this Bill. I certainly did not intend to wound his feelings. I asked the question in a most guileless manner. I do not think that I have ever shown any disposition to treat British Columbia unfairly.

Hon. Dr. CARRALL—Certainly not.

Hon. Mr. MILLER—I think if the hon. gentleman will turn to the report of the debate on the measure which brought British Columbia into this Union, and nearly every debate in this House since, affecting his Province, he will, perhaps, find that I have not been the last to advocate the just claims of our Pacific friends.

Hon. Dr. CARRALL—Hear, hear.

Hon. Mr. MILLER—Why, therefore, the hon. gentleman should become so excited over the few remarks I have just made, and why he should say that I should be more reticent, I cannot understand.

Hon. Dr. CARRALL—On that subject, I said.

Hon. Mr. MILLER—I think that the House will admit that, during the present session, at least, I have been as silent and reticent as any one could desire, but even if I tried, I could not indulge in those flights of eloquence with which my hon. friend so charms the House. But, speaking seriously, when we consider the difference of opinion which exists upon this question among business men, and in view of the remarks which have fallen from the hon. Senator from Toronto, and other gentlemen, that the 1st of July is kept now as a voluntary public holiday, I ask is it not more satisfactory that it should be so observed, instead of being made compulsory? Is it not more indicative of loyalty to the Confederation and attachment to the laws under which we live, and to our whole system of government, that the day which we now keep, (as it is admitted to be kept), as a voluntary holiday, should continue to be so observed? This is an aspect of the question which must strike every member of the House, and as the inconvenience to business men of making Dominion Day a compulsory holiday has been explained to the House, I think that we should reject the Bill.

Hon. Mr. DEVER—I hold that the day should be generally observed, thereby excluding the possibility of any shop or institution whose avarice might lead them to throw down their shutters on Dominion Day, from doing so, to the injury of the majority of their neighbors who would be closed. I ask the hon. Senator from St. John, (Mr. Lewin), if it is not true that the people of St. John have not voluntarily and almost universally closed their places of business every Dominion Day?

Hon. Mr. POWER—I took the liberty of seconding the motion of the hon. Senator from St. John, for two reasons. One has been given by the hon. Senator from Richmond, (Mr. Miller), because the day is observed voluntarily now, and this

measure is therefore unnecessary. I have understood that the practice in Ontario and Quebec has been to observe Dominion Day as a holiday universally. I was not aware that ti was so universally observed in New Brunswick, and I know that it is not so in Nova Scotia.

Hon. Dr. CARRALL—We want to make it so.

Hon. Mr. POWER—Those communities and institutions which now desire to observe this day as a holiday have every opportunity of doing so. Those who do not, are at liberty to go on with their business as usual, and I think that we should leave the matter as it now stands. I know that making this day a compulsory holiday will be a decidedly unpopular step in a great part of Nova Scotia. I do not think that the people of that Province, as a general rule, any more than the people of British Columbia, feel that they have any reason to congratulate themselves upon their union with Canada.

Hon. Mr. SCOTT—There seems to be a good deal of misconception with regard to the effect of this Bill. My own impression was that it was one of those holidays fixed annually by proclamation, and I know it has been observed during the last twelve years as a voluntary holiday all over the Dominion; but I was not aware that a proclamation was necessary. It has always been usual to communicate with the Lieutenant-Governors of the various provinces, requesting them to issue local proclamations. Under proclamation of the Governor-General in 1869, the 1st of July that year, and each succeeding 1st July, was established as a public holiday, and that proclamation can only be abrogated by the authority which created it. I do not think it is likely that any Government in the Dominion will seek to repeal that proclamation, and therefore the Bill that is before the House is unnecessary, any more than it declares that the action of the several Governors who have ruled in this country has been right in the past. I do not think that a local proclamation is absolutely necessary, the Dominion proclamation being sufficient authority for the day being regarded as a public holiday.

Hon. Mr. MACPHERSON—Is it law without the annual proclamation?

Hon. Mr. SCOTT—I think so. I will now read the proclamation of the Ontario Government last year:

"Whereas, His Excellency the Governor General of Canada did, by proclamation the 26th of June, A. D., 1869, proclaim and appoint the first day of July, 1869, and every succeeding first day of July, as a day on which the anniversary of the Dominion of Canada should be duly celebrated," etc.

Hon. Mr. MACPHERSON—Would it not be well to relieve all doubts on the subject?

Hon. Mr. SCOTT—I think it would.

Hon. Mr. CAMPBELL—It seems there is a good deal of doubt in the Province of Quebec on the subject.

Hon. Mr. MACPHERSON—The passing of this Act will remove all doubts.

Hon. Mr. TRUDEL—The argument has been used against this Bill that it would be better to let matters stand as they are, and allow the voluntary celebration of the day by those who wish to do so. I do not think that this is a proper view to take of the question, because there are many persons who desire to observe the 1st of July as a holiday, who are prevented from doing so by a doubt which exists whether it is a legal day or not. I am aware of many instances in which the officers of banks and other officials have considered that they were obliged to remain at their posts, and notaries that it was necessary to protest bills which matured on that day—so that there has been a good deal of uncertainty upon the subject. In some communities like Montreal, there is a general feeling that this day should be observed as a public holiday, and yet the present state of things is such that a great many people are prevented from enjoying it. I think there could be no practical inconvenience from the passing of the bill, because the day is now observed as a holiday, and to make it one by law can do no injury to business, while it will remove all uncertainties, so that everybody will be able to enjoy it.

Hon. Mr. GIRARD—Although the Bill does not appear important in itself, it is by no means a trifling matter. I would have no objection to vote for it if it were a Government measure. It seems to me that to establish holidays in any country is a prerogative of the Crown, and the responsibility of doing so should rest with the Government. I do not think that this Bill should have been introduced in this House except as a Government measure. I feel as much as any one else the necessity of observing the 1st of July as a public holiday. I rejoice at the success of Confederation, and believe that there should be legislation to make Dominion Day a public holiday, but until it comes in a legitimate way before Parliament I feel it my duty to vote against it.

The House divided upon the amendment of Mr. Lewin, which was rejected by the following vote :—

CONTENTS

The Hon. Messrs.

Alexander,	Miller,
Archibald,	Muirhead,
Baillargeon,	Pelletier,
Chapais,	Penny,
Cormier,	Power,
Cornwall,	Pozer,
Dickey,	Seymour,
Girard,	Simpson,
Guevremont,	Stevens,
Haythorne,	Sutherland,
Lewin,	Thibaudeau, and
McClelan (Hopewell),	Wark.—25.
McLelan (Londond'ry),	

NON-CONTENTS :

The Hon. Messrs.

Aikins,	Hamilton (Inkerman),
Allan,	Hamilton (Kingston),
Armand,	Haviland,
Bellerose,	Hope,
Benson,	Kaulbach,
Boucherville, de	McMaster,
Bourinot,	Macdonald,
Brouse,	Macfarlane,
Bull,	Macpherson,
Campbell,	Montgomery,
Carrall,	Read,
Chaffers,	Reesor,
Chinic,	Ryan,
Cochrane,	Scott,
Dever,	Smith,
Dickson,	Trudel,
Ferrier.	Vidal, and
Flint,	Wilmot (Speaker).—36.

The motion for the second reading was declared carried on the same division.

Hon. Mr. BELLEROSE called attention to the fact that in the Province of Quebec there were fewer statutory holidays than in any other Province of the Dominion.

Hon. Mr. PENNY said he was aware that the bank holidays were the same all over the country, but practically there were more holidays in that Province than in any other.

The bill was read the second time.

Hon. Dr. CARRALL—In reply to the hon. Senator for Richmond, I take this occasion to thank him publicly for the interest he took in our Province when the question of its union with the Dominion came before the House. No abler advocate was found in Parliament for extending the boundaries of the Dominion to the Pacific Coast. His opposition to this bill appeared to me all the more extraordinary on that account, and to my mind was uncalled for.

THE CAMPBELL DIVORCE CASE.

READING OF THE PETITION FURTHER POSTPONED.

On the Order of the Day being read :—

Reading the petition of Eliza Maria Campbell, praying for the passing of a Bill similar to that passed by the Senate in 1875, providing for her separation as to bed and board from her husband, Robert Campbell.

Hon. Mr. REESOR said : When the order of this House was passed that James Keith Gordon be summoned to the bar of the Senate, to give evidence in this case, that order was immediately communicated to him, and he telegraphed in reply that it would be impossible for him to appear here to-day, but that he would appear before the bar of the Senate to-morrow. I beg to move, therefore, that the order be discharged, and that it be made an order for to-morrow.

The motion was agreed to, and the order was discharged.

THE PUBLIC EXPENDITURE OF THE DOMINION.

THE DEBATE CONTINUED.

The Order of the Day being read:

Resuming the adjourned debate on the subject introduced by the Hon. Mr. Macpherson in the following words:

"To call attention to the increasing annual expenditure in the departments of the public service, and will enquire if the Government has under consideration a scheme of substantial retrenchment."

Hon. Mr. PELLETIER said—The debate on the subject brought before the House by the hon. gentleman for Saugeen, having been adjourned so long, I had no desire to re-open it. Besides my hon. friend, the late Secretary of State, having once more, I believe, fully answered the charges so ofter repeated by the hon. gentleman in this House, I do not think it would be just to occupy the time of the Senate any longer in discussing them. But I cannot help expressing my regret that we have to answer such charges as those made by the hon. member—charges of corruption, extravagance and waste of the public money, by the late Administration, charges which I consider uncalled for, particularly this year and in this House. The pertinacity with which the hon. gentleman brings such charges year after year, and this time against an Administration which exists no more, seems to represent the Senate in quite a different light from what it ought to be. We are supposed to be impartial judges rather than party partisans, but I regret to say that the manner in which the hon. gentleman brings his accusations does not seem very impartial, as he volunteers his own judgment too much. The hon. member for Woodstock, alluding to the speech of the hon member for Saugeen, said, very properly, that it was not British practice to strike a man when he is down. I believe the hon. gentleman is quite right; it is not even Canadian fair-play to insist upon bringing such accusations against the late Administration when they have been so often refuted. It seems to be a desire to find fault with the past, rather than a hope of good administration for the future. The hon. gentleman comes before us every year with *ex parte* statements which he has taken time to prepare, so as to carry out his object, fortified by a long array of figures. I have no objection to the hon. gentleman bringing up for discussion any subject that is within the scope of Parliament, but I do object to the way in which it is done. The hon. gentleman has made serious charges against the management of the Post Office Department, and, of course, he has submitted a statement to prove that while the revenue has diminished the expenditures have increased. It was only to-day I had an opportunity for the first time of studying his figures as they appear in the Senate Debates published in last evening's *Free Press*. If the hon. gentleman's statement had been made with the view of putting before the public the real state of affairs, he would have added a little more to it; while showing the decrease of revenue and the increase of expenditure he would have also shown the reasons for that increase. He does not show the increased mileage of railway over which mails are being transported since 1874, which has necessarily caused an increase in the expenditure of the Department. He does not mention the number of new Post Offices which have been established since 1874, nor the number of cities in which free delivery of mails has been granted, which certainly has greatly increased the number of officials, and consequently the amount of expenditure. But the hon. gentleman cannot even be just in showing the amount of revenue from the Post Offices of the cities which he mentioned. He has given the revenue only, as shown by the account of each Post Office, but the hon. gentleman cannot find the real revenue of each Post Office, particularly in the towns, from the amount mentioned in the report of the Department for each of these towns. Every hon. gentleman must know that the greatest part of the revenue of each Post Office is derived from the sale of the stamps. It is also well known that in nearly all the principal towns, the stamps are not sold in the Post Office, but are sold by regularly authorized agents on commission, the revenue from which does not go into the accounts of the Post Office, but into the general revenue of the Department. Of course the hon. gentleman will find a decrease for several years past in the revenue from each of the Post Offices. That is

not to be wondered at because of the sale of stamps by agents, but the general revenue of the Department has increased.

Hon. Mr. MILLER—That is not the practice in the offices in the rural districts.

Hon. Mr. PELLETIER—I know it is not, but in the large cities, such as Quebec and Montreal, and other cities mentioned by the hon. gentleman, stamps are sold by news agents and others.

Hon. Mr. MACPHERSON—They get them from the Post Office.

Hon. Mr. PELLETIER—No; they get them from the Postmaster-General's Department. The hon. gentleman in the course of his remarks stated that the 19th section of the Civil Service Act had been systematically violated. It is true, he admitted it had been also violated for years by the previous Administrations, but to prove that this section had been violated by the late Administration, the hon. gentleman quoted an answer I had made last session when the Estimates were brought before the House, on an item of $6,000, with reference to which he had asked for information. The answer, I made, no doubt, shows that the section referred to had been violated, but it also proves that the late Government were disposed to put a stop to the practice. That item of $6,000 was to pay extra clerks, who had been employed in the Department of Agriculture for years—men who had been employed as extra clerks for the Census since 1870, and when the Census was finished, their services were continued as extra clerks, as they had proved to be efficient officers. Their salaries were paid out of contingencies. I knew myself it was not right, and last year I proposed to deduct $6,000 from the contingencies, and set it apart as a separate vote to pay those extra clerks, who were made permanent. It was agreed to in the other House, and the present Minister of Agriculture approved of the matter. All those clerks have been retained by the present Government. The only difference is, that four of them have been dismissed—for reasons of economy it was said—but they have been since replaced by friends of the present Government.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. PELLETIER—I do not wish to impugn the motives of the hon. gentleman for Saugeen, but I cannot help saying, that he has no reason for bringing such charges before the House as he has now brought against the late Administration. Last year, and the year previous, he may, perhaps, have been justified in warning the people against what he chose to consider bad administration. He did so, and during this debate he has been flattered by being told that his exertions had very largely contributed to the change of public opinion, which manifested itself on the 17th of September last. But what can be his object now? The public treasury is in the hands of his friends. He should feel perfectly safe, though he now submits to the House a notice that, in my opinion, shows a want of confidence in the present Government. He cannot have confidence in them or he would not ask if they have considered a scheme for substantial retrenchment; if he has confidence, there is no necessity for his enquiry unless it is to make an opportunity to repeat the charges of last year. The hon. gentleman was followed in his speech the other day by my hon. friend from Amherst, whose remarks on this subject commended themselves to the House by their moderation and impartiality. He complained of the expenditure of the Immigration Department, and said in previous years the amount had been very large, but he gave us credit for having decreased it during the late Administration, though in saying that he did not consider we had done enough in that direction. I am quite of his opinion, that a very large amount was spent, even last year, but we could not decrease this expenditure at once in the way we would have desired. It could only be done from year to year, and we endeavored to do so, as will appear from the statement in the report of the Minister of Agriculture, at page 35. The hon. gentleman from Amherst, in quoting from the report for the expenditure of 1873, stated it as being $134,000; but that must be an error. The correct amount was $304,000.93. I admit that it was an extraordinary amount for that service. The following year, 1874, the expenditure was reduced to $251,120.75.

Hon. Mr. McLELAN—But you do not claim that year!

Hon. Mr. PELLETER—The hon. gentleman will remember that it was the calendar year, not the fiscal year. In 1875, the expenditure appears to have been increased $296,692.91, but if hon. gentlemen will refer to the report they will see that from that amount, $46,234.37 ought to be deducted, as it was part of the $100,000 Mennonite loan, for which we have ample security, which will be repaid, and for which the late Government were not responsible, so that the real expenditure of that year was only $250,458.54. In the year 1876 the expenditure was reduced to $284,065.92 less, also $46,884.12 advanced on good mortgage security to Mennonites and Icelanders. In 1877 it was again reduced to $183,672.76, and in the last year of our Administration—1878—it was still reduced to $177,044.53; and I am happy to see it is proposed by the present Government to reduce it still further this year. It could be made even less, but I know that it is impossible to do so at once. Nevertheless it is proved by the above statement that we reduced the expenditure of last year to nearly one half what it was in 1873, the year previous to our Administration.

Hon. Mr. MACPHERSON — The amount for Immigration and Quarantine last year was $186,091.

Hon. Mr. PELLETIER—It was only $172,044.53 for Immigration; Quarantine is a separate item. I mention these facts to show that the hon. gentleman has not even given us credit for having reduced the expenditure as much as we really did, though what he said yesterday was perfectly true—there was still room for further retrenchment.

Hon. Mr. READ—I have no desire to prolong this discussion, but the startling remarks of the hon. gentleman who introduced it, (Mr. Macpherson), have led me to look into this question to ascertain whether there has been the alarming increase of annual expenditure to which he refers, and I have failed as yet to find it to be the result. I shall endeavour, in my humble way, from the figures and the information which the Public Accounts present to us, to show that there has been a decrease, instead of an increase, in the ordinary expenditure of the country, under the control of the Government, and under numerous heads of Departments.

Hon. Mr. SCOTT—Hear, Hear.

Hon. Mr. READ—The figures may be wrong, or I may not understand him properly, but if such is the case I shall only be too glad to be corrected. While I admit that there has been a very large increase in interest on the public debt, it is an item over which the Government have no control, and it is an item which must be paid. The charges on the Consolidated Fund since 1873 have been as follows in round numbers:—

1873-4	$10,255,000
1874-5	11,124,000
1875-6	11,122,000
1876-7	11,489,000
1877-8	11,659,000

This shows a very large increase in the charges on the Consolidated Fund for Debt and subsidies, and the increase cannot be prevented if we are to carry on those large public works to which the country is committed, and for which we have to borrow money. But, so far as the ordinary expenditure, over which the Government have control, is concerned, if the figures in the Public Accounts are correct, it has decreased as will be seen from the following statement:—

Ordinary Expenditure,		1874	$13,060,518
Do.	do.	1875	12,588,344
Do.	do.	1876	13,366,013
Do.	do.	1877	12,029,974
Do.	do.	1878	11,843.634

From this it will be seen that there has been a large reduction in the expenditure of 1878 from what it had been in 1874. Then turning to the Public Accounts, it will be seen under what heads this reduction has been effected.

Civil Government,	reduction ..	$ 60,316
Police	do ..	45,771
Penitentiaries	do ..	87,440
Legislation	do ..	66,013
Geological Survey	do ..	1,765
Immigration and Quarantine	do ..	137,881
Marine Hospitals	do ..	8,958
Public Works	do ..	827,407
Light Houses and Coast Service	do ..	5,329
Ocean and River Service	do ..	75,090
Miscellaneous	do ..	20,991
Dominion Lands	do ..	195,535
Military Stores	do ..	144,906
Militia and Defence	do ..	359,239

There are also many other services which show a reduction. There is a very large increase in the amount for Administration of Justice, which, I suppose is due to the establishment of the Supreme Court.

Hon. Mr. SCOTT—And Court of Appeal in Ontario.

Hon. Mr. READ—There has also been an increase in the expenditure for Indian Grants, Superannuations, Pensions, Mounted Police, and Post Office.

Hon. Mr. DEVER—Where are the weights and measures?

Hon. Mr. READ—There was no comparison to make in that service, as it has only been in operation very recently. I will admit that in the Post Office Department there has been a large increase, but it is a necessary increase, and I hope that the hon. gentleman in challenging this expenditure does not wish to be understood as advising the Government to starve the postal service; that he wants the people who reside in the sparsely-settled districts to do without their weekly newspaper and letters, or travel twenty miles to get them? I hope the hon. gentleman in speaking so strongly of the increasing expenditure in the Post Office Department, does not aim at that?

Hon. Mr. MACPHERSON—I said that the expenditure in the country offices is not unreasonable; it is the city offices I referred to particularly.

Hon. Mr. READ—Of course there is a large outlay for the city offices, but we can easily account for it. Through this expenditure, gentlemen residing in the cities have their papers and letters brought to their houses two or three times a day; while people who reside in the country only get a weekly mail. I ask the Government not to reduce this expenditure, but to extend it as much as possible. The total increase in the postal service from 1874 to 1878 was $406,361, and from the year 1873 it was $337,668. Now, what have we got for this increased outlay? It is quite evident that the postmasters are not over paid. Of all officials in the public service there are no men so poorly paid as postmasters. In the country offices, as well as in the towns and cities, these men have great responsibility, and they are obliged to be at their posts almost night and day, For this increased expenditure of $337,668 we have had 860 new post offices established. The number in 1873 was 4,518, and in 1878 they had been increased to 5,378. We have had the postal mileage increased by 3,142 miles in the past five years. In 1873 the post routes travelled were 35,538 miles; in 1878 they had increased to 38,730 miles. The number of miles travelled in conveying mails was:—

In the year 1878.....	15,427,323
" " 1873..... ...	13,266.598
Increase in mileage in five years	2,160,725

The same rapid increase is shown in the distribution of mail matter:—

Letters and post cards distributed in 1878.....	50,045,500
" " 1873.....	34,457,900
Increase in five years.....	15,876,000

The number of books, parcels, and periodicals distributed through the mails in 1878 is 5,090,000. This is a service in which I am satisfied the people are receiving full value for their money. There are 146 letter carriers employed to distribute the mails in the cities, and there is no doubt it is a great convenience to the public. I have frequently urged the hon. gentleman who now leads the Government in this House, to establish free postal delivery in this country, when he was Postmaster General, but he never did so.

Hon. Mr. CAMPBELL—It was a luxury I thought we could not then afford.

Hon. Mr. READ—I look upon it as a great luxury that the people should have where the population will admit of it. Anyone who has travelled through England, and has seen the postal delivery there, could not but desire to see it extended in this country as far as circumstances will permit. The Government have already introduced it in eight cities, and, in good time, I suppose it will be extended to the smaller cities and towns also. The letter carriers in this city alone deliver each over two thousand

letters and papers every week. The shoes the public would wear out in travelling to the post office for their own mails would pay the cost of free delivery twice over. At all events it is a great convenience to the people. I think these facts are sufficient to warrant the Government to extend, rather than to decrease, the postal service. In addition to all this, we have had reduced by one-half the postage to the United States, a large reduction in the same service to England, while the postage on newspapers and mail matter has been reduced to a nominal amount. There is no doubt that it is desirable to retrench in every reasonable way, and I am not so positive but what the late Government had been doing so in the ordinary expenditure, when I compare their figures with the expenditures of the previous Administration. While I am free to admit this much, I consider the management of the great public works of the country by the late Government has been so bad that I can hardly find language to adequately express my views upon the subject. I have always denounced their management in this respect, and I am still of the same opinion. I can hardly conceive how they committed such blunders as they made in the Public Works Department during the past five years. The hon. gentleman for Saugeen has advised the letting of the post offices in cities by contract. If there is any one thing more sacred than another, it is the management of the mail service, and I ask if it is desirable to let it out by public tender to the lowest bidder? I certainly cannot agree with that course of action. If there are too many employes, the number can be reduced, but I cannot agree with the suggestion that the city post offices should be farmed out on commission. The next complaint of the hon. gentleman, is the great expense of collecting the Customs. While the hon. gentleman was speaking, I took up the returns, and found that while he had copied the figures very correctly, I think by way of comparison he should have copied the expenditures of the six years of the former Administration. That would have been a fair way to calculate what was the difference in the percentage for the collection of the revenue under the two administrations. I find that the percentage increased and decreased under both administrations, and when you come to take six years of the former, and five years of the latter Administration, you will find the average the same, viz., 5·18 per cent.

COST OF COLLECTING CUSTOMS,

1868....	5·99 per cent	1874....	4·55 per cent.
1869....	7·09 "	1875....	4·44 "
1870....	5·41 "	1876....	5·61 "
1871....	4·21 "	1877....	5·75 "
1872....	4·04 "	1878....	5·58 "
1873....	4·35 "		
	31·09 per cent.		25·93 per cent.

Average 6 years, 5·18% Average 5 years, 5·1803%

Divide them by the divisors, 5 and 6 years, and you will find them almost exactly the same. So that I think on that head the hon. gentleman has not much to complain of. He has referred to the cost of collection in England by way of comparison, but really I do not think that that contrast is fair. If he had compared it to that of our neighbors across the line it would have been much better, because they also have a large extent of country, a large frontier like ourselves, and entirely different from England, where the area is small and the revenue is easily protected. The hon. gentleman would find that the cost of collecting the revenue in the United States, while it is not as large a per centage as ours, is very near it. But three-fourths of the revenue of the United States is collected in the city of New York. In 1876, I find they collected $148,000,000, and the cost of collection was $6,072,000, divided among six thousand revenue officers, and the average was not quite five per cent. You have to pay men to collect the revenue, liberally, because public servants must be paid well, if you want them to serve faithfully. The hon. gentleman advanced a crude theory of collecting the customs by a percentage. I make bold to say such a course is not adopted in any civilized country, and would not be advisable for us to entertain. The customs being our great source of revenue any dereliction of duty might seriously affect our income. Take, for instance, the result of the system of our neighbors, where the tenure of office is dependent upon the party in power: the tendency has been always to lead officials to make the best of their position while they held them, and very often the revenue suffered in

consequence. In the course of the hon. gentleman's remarks, he pointed out, in a friendly manner, the policy they should adopt, but told them he considered it was necessary that they should reduce their own salaries. If the country could be served faithfully and well at a less price and by good men, there would be no objection, but to my mind, when you have a good man you should pay him, and I don't believe it is the desire of the people of this country that the Ministers of the Crown should be underpaid, provided they administer the affairs of the country in an honest, economical and capable manner. Above all things, honesty and efficiency are required. When we come to consider what ministers of the Crown should be paid, we ought to be guided by precedent. We know of one respected and revered man who has passed away from amongst us after twenty years of public service—most of the time holding positions in the Government of the country with a large income, besides his salary—who had never saved anything for his family. We know of none who have been ministers of the Crown who have retired from the public service wealthy men. There may have been rich men among them, but we have never heard of it. Although many of them had large incomes, in addition to their official salaries, their expenses were so large that, in nine cases out of ten, they died or left political life poor men. In England, where they don't pay their members of Parliament, they are more liberal. In that country, if a gentleman has served as a Minister of the Crown for four years—it need not be continuously—he is entitled to receive a pension of from £1,000 to £2,000 a year for life.

Hon. Mr. SCOTT—If he says he requires it.

Hon. Mr. READ—If he says he cannot maintain his station in life. He may even be a rich man, but if he cannot maintain his station in life, a pension is given, so that he can do so.

Hon. Mr. WARK—The Lord Chancellor gets £4,000 as a pension.

Hon. Mr. READ—I only referred to Todd, who shows that in England where they have great wealth, where men go to Parliament because they can afford to give their services gratuitously to the country and their tastes lead them in that direction, but in Canada there are very few who can afford to do so, and the country does not demand it. The hon. gentleman proposes to reduce the indemnity to members. That can be done, but I do not know that the country would gain anything by it—it might perhaps save a few thousand dollars, but it would lose more in other ways. Although the indemnity is now one thousand dollars, the experience is, that as soon as a man goes into Parliament it injures his commercial credit; his bankers look more closely after his assets, and it is not long until his paper is turned over two or three times to see if there are not two or three good names on it as well as his own. The reason is obvious: when a man has to devote himself to the service of the public he cannot give his own business that close attention and supervision that he did before, and consequently it cannot be as profitable. He gets a thousand dollars for serving his country, but he spends a great deal more, and it is more for pleasure than profit any man enters Parliament. It is proverbial that women are more far seeing than men where domestic interests are concerned, and when a woman's husband is talked of as a candidate, she begins to think at once of the effect on her family. Although she would be well pleased to see such an honor conferred upon him by his fellow citizens, she looks forward to the possibility of his business and domestic comfort suffering, as well as his family, from his entering into political life, so that the honor has seldom any attractions for her. No doubt many persons would like to see the indemnity reduced, or perhaps abolished altogether, but the question is, would the country be served any better if there were no indemnity? Services that are not worth paying liberally for are not worth having at all. Perhaps the hon. gentleman's theory might be further extended, and the Government of the country might be farmed out to those who would undertake to carry it on for the lowest price. We might also apply the same system to our judges, and whenever a vacancy occurs, call for tenders from the barristers and assign the position to the lowest ten-

der. Such an idea is absurd. We do not want such a system in this country. We want to keep our judges and our statesmen pure and above suspicion, and we should pay them liberally for their services I think there is nothing to be gained by starving our public men and public officials, or in reducing the indemnity in either branch of the Legislature. If we were to adopt the hon. gentleman's theory, this Parliament might be run on a very much cheaper plan than he suggests; we might get a very clever man who could frame all our laws and pass them himself, but if he were a dishonest man where would we be? I have every confidence in the Government that they will reduce expenditure as far as possible compatible with the efficiency of the public service. Our aim should be efficiency first, and economy afterwards, because a thing is not always cheapest that costs the least money. If a man wants to have a surgical operation performed, he does not go to the cheapest doctor, but to the most skilful surgeon. If he wants legal advice on a question involving his property, his liberty, or his reputation, he does not go to the cheapest lawyer, but to the man whom he considers is most capable to give him a sound opinion. While I hold it is all very well to talk of reducing expenditures, at the same time I consider it is not always economy when we have in view the efficiency of the public service.

Hon. Mr. ALLAN—I think that this is a subject of very great importance, and one which ought not to be discussed in a partizan spirit. Notwithstanding all that has been said by the hon. Senator from Belleville, (Mr. Read), I really do not think that any thoughtful person—anyone who will take up the question apart from all political feeling and carefully look at the expense attending the government and legislation of this country—can fail to come to the conclusion that it is a matter of very serious concern to us all It certainly seems to me that unless some general system of economy and retrenchment is adopted, and adopted very soon, the expenditure of the country will very soon be, if, indeed, it has not become so already, altogether out of proportion to its resources and revenue. I think there can be very little doubt that a great deal of expense connected with the different departments of the public service is caused by the pressure which is brought to bear from time to time on the Government of the day by their political friends and supporters for employment in the public service, leading to a multiplication of employes in the different departments in the manner alluded to by the hon. Senator for Saugeen, but which I really did not understand that honorable gentleman to charge the late Government with being more responsible for, than many other preceding administrations. In fact, until my hon. friend, the ex-Secretary of State, put in that rather aggravating "hear, hear," I really thought that the hon. Senator for Saugeen had, for him, kept tolerably clear from any attacks on the late Government. That a much greater firmness and decision, however, than has been shown in the past, ought to be exercised by whatever government may be in power in putting a stop to the abuses alluded to, I think that there can be little doubt, and I venture to think that my hon. friend for Saugeen, in bringing up this subject, and drawing the attention of the House to it, will not embarrass, but rather strengthen the hands of the Government in dealing with the matter again. With regard to the general expenses of government and legislation,—when the country was prosperous and when there was every prospect of its making still greater progress in material prosperity and wealth, we had, perhaps, not so much reason to feel alarmed at our expenditure, although the prudence of allowing it to go on increasing, under the idea that our prosperity would have no check, may well be doubted. I am afraid, however, that it is not only in public affairs, but as a people in our private expenditures and habits of living, that we are apt, on most occasions, to discount the future, and we are sadly lacking in those habits of economy and prudence which characterize other communities, and which have, in a great measure, led to their permanent wealth and prosperity. The hard times which have so long prevailed will, no doubt, have taught us many useful lessons, and one would fain hope that our national policy now about to be inaugurated will include national prudence, and national economy. The hon. Senator for Saugeen, in the course of his remarks—and this is

the only part of his speech to which I intend to refer especially—said that there were two items in the public expenditure which, he considered, called for some retrenchment—the salaries of Ministers and the indemity to members of Parliament. As regards the first, I am very much disposed to agree with the remarks which have fallen from the hon. Senator from Belleville (Mr. Read.) I think that we all know perfectly well, and we should certainly take into consideration, the very heavy sacrifices which public men, who do not make a trade of politics, and who are engaged in various callings and pursuits, have to make when they enter office. They should certainly be placed in such a position that they can discharge the duties of their positions without anxiety. And so far as the salaries of Ministers are concerned, I do not know that I am prepared to adopt the views of the Senator from Saugeen; but what I chiefly rose to refer to was the point raised by my honorable friend as regards the expenses of legislation. Both in the Dominion and in the Provinces (I allude especially to Ontario) they are, in my judgment, far beyond what they ought to be. My hon. friend from Belleville, in speaking on that matter, really would have led one to suppose that hon. gentlemen entered Parliament with a view, to some extent, as to what they could gain by it from a pecuniary point of view, and he referred to the fact that, when a gentleman did so enter public life, his creditors were apt to look very closely after his assets. I scarcely think that the indemnity which any member of Parliament receives would be considered a guarantee for the payment of his creditors if he were not otherwise in a solvent condition. The hon. gentleman says, "Don't you want to get the best men? You don't want inferior men in Parliament!" I do not think that the mere paying of an indemnity will ensure your getting better men, or that its being either more or less will make any difference in that respect. I think all we can reasonably ask for is this — that when gentlemen enter Parliament, particularly those who, by doing so, may be obliged to make more or less sacrifices so far as their professional pursuits are concerned, they ought to have, while in attendance on their duties in the Legislature, such a reasonable indemnity as to provide liberally for all their legitimate expenses while detained from their homes and discharging their legislative functions. Therefore, I am not prepared to suggest that the indemnity should be reduced even to what it originally was, but I must say that I think it is a matter for consideration whether, under the existing circumstances of the country, it should not be reduced below its present rate. If this should be done, then at any time, when these questions of retrenchment come before the House, our opinions will certainly have much more weight with the Government and the country, when we have shown that we are ready to begin the reform in our own cases. The hon. Senator for Saugeen certainly deserves well of the country for continuing to give his attention to subjects of this kind. I know that it is a very distasteful one to very many, and gentlemen who urge these views do not always find them appreciated as they would desire, but I think that they are views which should be kept continually before us, because the tendency of the country, as I have already said, is to discount the future, and to be not sufficiently observant of due prudence and economy in its expenditures—and, therefore I think it is very desirable and very useful that this subject should be brought before the country from time to time by one who has made it a matter of such close and constant study, and who is so well qualified to do it as the hon. Senator for Saugeen.

Hon. Dr. BROUSE—I listened with a good deal of attention to the remarks of the hon. gentleman who brought up this question, and endeavored to obtain information as to the finances of the country, and especially the expenditures, because I know that the hon. gentleman has been considered, for a number of years past, a financial authority throughout the country, both by his writings and his sayings; but I failed to find that I could endorse his remarks or the conclusions at which he had arrived. The hon. Senator who has just taken his seat (Mr. Allan) stated that this subject should be approached altogether irrespective of party politics. I certainly supposed that the hon. senator for Saugeen would have taken that course,

but he stated in his speech that he could come to no other conclusion—after having discussed the Customs Department—but that the Post Office Department had been packed and managed, in its various offices, by ward politicians, throwing a slur upon the management of the late Government —especially the management of this important Department. He also used words to the effect that the sluice-gates had been opened, and the tide of extravagance and corruption had crept in during the administration of the late Government. Now, hon. gentlemen, I must dissent. I have endeavored to look into the same figures, and to trace carefully the reasons that brought the hon. gentleman to the conclusion at which he had arrived ; and I certainly cannot endorse the figures he has submitted to this House or his calculations. His principal attack was made on the Postoffice Department of this country. Now, if there is one department in the Dominion of which Canadians have reason to be proud, it is the Postoffice. When we compare the manner in which that Department has been conducted for many years past with the management of the Postoffice Department in the United States, I say that we have every reason to be satisfied by the comparison. The hon. gentleman undertakes to show that there has been extravagance, and that it has been all of a cumulative character, for a number of years past. He takes up the time, when the late Government assumed office about 1874, and compares the returns of that year with those of 1878, and contends that there has been an excess of expenditure, and an unnecessary increasing expenditure over income during that period, for which he holds the late Government responsible. The proper way to consider this question and to arrive at a correct conclusion, is to take up the returns for former years and compare the receipts and expenditures of the Post Office Department for those years with those of the period to which the hon. gentleman has referred. I will state here what I stated in the other branch of the Legislature when I was a member of it, that, when the hon. gentleman who is now leader of this House was at the head of the Post Office Department, it was most efficiently managed, and we had special reason to feel thankful that it had been conducted in the interests of the country. We find that the expenditure of the Department in 1870 was $815,000 ; that the receipts were nearly $600,000—showing a difference of $216,000. In 1872-3 the expenditure had increased to $1,067,000, and the revenue to $883,000 —showing a difference of $184,000. In 1873-4, the expenditure increased to $1,387,000, and the receipts to $1,139,000—showing a deficit of $248,000. In 1878 the expenditure was $2,110,365, and the receipts were $1,620,000—a deficit of $490,343. Now the whole charge of the hon. gentleman was that there had been extravagance and that it was shewn in this difference which existed between the returns of 1878 and 1874. The hon. gentleman contended that there was an increase in these three years of some $250,000. I am prepared to show the House that while the expenditure in this Department has been gradually increasing, that there is a legitimate reason for it, and therefore, the hon. gentleman's argument falls to the ground. In 1874, a change was made in the whole postal system of the country. The Postmaster-General of that day (Hon. D. A. Macdonald) changed the postal rates on letters from six to three cents to any part of Canada or the United States. Through that change there was a loss of $60,000 a year. He also made the change with regard to papers and periodicals passing from Canada to the United States, which caused a further loss of $40,000. Then there was the loss by the change in postage on papers and periodicals in Canada, of $60,000. During that year there was a further loss by giving free delivery in nine cities of the Dominion. That loss amounted to $45,000. We have here, in addition to ordinary increased expenditure, the reasons why there was a reduction of $205,000 in the general receipts of the Department, which makes up the exact difference which the hon. gentleman has referred to between the returns of 1876 and 1878. The question is, were those charges which were made by the Postmaster-General of that day in the right direction? I recollect that when that distinguished statesman, who so eminently filled the office of Post Master General, made his proposition on the floor of the other House, Dr. Tupper rose in his place, and said that it was a most important move, and that the people of the coun-

try would readily submit to a reduction in the receipts for the increased accommodation which they were receiving. The hon. J. H. Cameron stated that it was in the interests of the public that the change should be made, that it tended to make intercourse by mail easier and freer, and that the Postmaster-General was entitled to the thanks of the community. These changes, which met with the approval of the hon. gentleman's leaders, caused a direct yearly loss of $205,000 in the revenue. There is another matter to which reference has been made to-day by the hon Senator from Belleville (Mr. Read) who has shown good reason why there should have been an increase in the expenditure between 1874 and 1878. In 1875 there were 4,892 post offices in the country. In 1878, there were 5,378—an increase in the three years of 486 offices. Yet, so well was the Department managed, that there is no increase whatever to account for the additional expense in the establishment of these offices. The Department must have been properly and carefully conducted, to show such a good result. In 1875, the number of miles travelled on postal routes was 14,384,678. In 1878, it was 15,427,323, an increase of 1,142,645, or between eight and nine per cent. of an increase. In 1875, 42,000,000 letters passed through the post offices of the country; while in 1878, there were 44,000,000—an increase of 4 ¾ per cent. in three years. Here is an additional reason why the expenditure would increase over the receipts. If the hon. gentleman will compare these figures he will find a satisfactory reason for the addition to expenditure in this Department. We all know that the expenditure for the last few years has been very much increased by the Intercolonial Railway and other routes for the mail service. It is very much more expensive to carry the mails by rail than by the old stage routes. The increase in the number of post offices involved the appointment of a number of additional postmasters, with the expense of furnishing them paper, paying their salaries and giving them stamps. That will account for the increased expenditure of the Department. Has the Post Office Department been credited with the large amount of matter carried gratuitously thereby from Ottawa? Is not the Post Office obliged to pay to the Government a large amount for carrying the mails on the Government Railways? I have given these reasons for the excess of the expenditure over the receipts, and I have shewn that the Department has not been credited for work it has performed, and for which it legitimately has a right to be credited. The hon. gentleman will recollect that previous to the old Government going out of office in 1873, they put an additional weight on the Post Office Department. They appointed no less than 77 new officers, in the Post Office Department and they increased the salaries of 311, who were serving in the Department, making a yearly additional increase of $58,240. I regret still more that this attack has been made on the Post Office Department when I see that the Postmaster-General has in his report, submitted to Parliament this year, stated that it is the intention of the Government to increase the salaries of postmasters throughout the country.

Hon. Mr. SCOTT—Hear, hear.

Hon. Dr. BROUSE—At page 4 of the Postmaster-General's report he says:

"The improvement in the postal business of the country as shown by the returns of this year, appears to be sufficient to justify a revision of the compensation from commission and allowances granted to country post offices, which, as stated in last year's report, could not be undertaken with any advantage to Postmasters generally whilst the postal business remained stagnant."

The hon. gentleman from Belleville has referred to the salaries of postmasters. I believe there is no class of public servants in this country, who are so poorly paid as our postmasters. You will find in country places, in various sections, offices where the postmaster receives only $10 a year, though he is obliged to be in attendance—or some member of his family—from morning to night, to carry on the public service; and yet the hon. Senator for Saugeen shows a disposition to cut short the salaries of such men, or if not, at all events, to cut down the expenditure in this Department. I am not a follower of this Government, and I was not a follower of the hon. gentleman opposite (Hon. Mr. Campbell) when I took my stand and raised my voice on behalf of the Post Office Department on the floor

of the other House, even in opposition to my political friends, but I will say this, that I believe if they do their duty, they will sustain the postmasters throughout the country, and in every way uphold them, in order to make this Department as efficient as they possibly can. In the estimates of this year, I see that the appropriation for the Post Office Department for the year 1878-79 is $9,000 short of the amount voted last session for the same service. Of this there is a decrease of $4,000 for Nova Scotia. I have no doubt this amount refers to the item to which attention was drawn by the hon. Senator from Halifax, some three or four days ago. The hon. leader of the House stated then that the matter was under consideration, and that it might be necessary to restore that item, so that the estimates this year are likely to be no lower than they were last year. You will find the following note at the bottom of the page in the estimates to which I have referred.

"The increase under the head of Salaries is due to the necessity for providing for additional Railway Mail Clerks, for the additional Railway Mail Service, and to the fact that the sum estimated for the current year will probably fail to cover the expenditure under this head."

So that in this respect the Government took the right to increase the expenditure as brought down in the estimates. Now, there is the distinct charge made by the hon. Senator for Saugeen upon the late Government, and I certainly think that he should have looked well into the expenditure of the various departments before he made it and sent it forth to the country to educate the people into the idea that the late Administration had been extravagant in the extreme, and had not carried out their professions to the people. That he is mistaken in his view, the following statement will show:

DEPARTMENTAL EXPENSES—SALARIES OF THOSE DEPARTMENTS.

Dept. Justice—	1871 to 1874,	increase 48 p cent
	1874 to 1877,	increase 1 p cent
Militia Dept—	1871 to 1874,	increase 29 p cent
	1874 to 1877,	dimin'd 1 p cent
Finance Dept—	1871 to 1874,	increase 28 p cent
	1874 to 1877,	dimin'd 1 p cent
Rec.-Gen. D.—	1871 to 1874,	increase 28 p cent
	1874 to 1877,	dimin'd 5 p cent
Customs . .—	1871 to 1874,	increase 31 p cent
	1874 to 1877,	decrease 2 p cent
Pub. W. Dep—	1871 to 1874,	increase 27 p cent
	1874 to 1877,	dimin'd 2 p cent
Dep. Agric'l—	1871 to 1874,	increase, 30 p cent
	1874 to 1877,	dimin'd 10 p cent
P. O. Dept—	1871 to 1874,	increase 42 p cent
	1874 to 1877,	increase, 6 p cent

Dept. Salaries in 1867, ...	$314,634
1874, ...	548 498
1877, ...	536,736

Giving 35 per cent. increase in all the Departments for those three years, against a decrease of 1½ per cent. by the late Government. As a young member of this House, I have been anxious to look into these matters to see wherein the past Government has been delinquent in doing its duty; I fail to find any cause to withdraw my confidence, and yet I sincerely hope that the present Government will not so act as to destroy the efficiency of the Post Office Department, which is an honor and credit to us in Canada.

Hon. Mr. MACPHERSON—I am entitled, as a matter of right, to reply to the speeches which have been made, and I daresay that the House will permit me to make a few remarks in closing the debate. I, therefore, move that the debate be adjourned till to-morrow, and if any hon. gentleman wishes to speak then, I will give way to him.

Hon. Mr. SCOTT—If anything new has been brought up in the course of the debate, of course the hon. gentleman will have an opportunity to reply to it.

The motion was agreed to.

The House adjourned at 6 o'clock.

THE SENATE.

Thursday, April 3rd, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE POST OFFICE DEPARTMENT.

MOTION FOR A RETURN.

Hon. Mr. SCOTT moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be

transmitted to this House—A Return giving the names of all persons who have been appointed in the Post Office Department, both inside and outside service, between the Seventeenth day of October and the Third day of April; return to express whether such appointments are permanent or temporary; also, rate of pay, or other allowances; also, the names of all persons in the employ of that Department, inside or outside service, whose salaries have been increased between those dates.

The motion was agreed to.

BILL INTRODUCED.

Bill (J) "An Act to amend an Act known as the Canada Temperance Act, so far as the same may become applicable to the Province of Manitoba." (Hon. Mr. Girard.)

ROUTE OF THE PACIFIC RAILWAY

INQUIRY.

Hon. Mr. GIRARD, enquired:

Whether the present Government have decided on any fixed and determined policy respecting the line of the Canadian Pacific Railway from Keewatin westward.

He said: Perhaps my question is a little too wide, since the road is already built from Keewatin to Selkirk, and it is, therefore, too late for the Government to change its location. What I wish to ascertain is, the policy of the Government with reference to the route of the Pacific Railway from Selkirk westward. When Manitoba became one of the provinces of the Dominion, it was understood that before many years we should have railway communication with the rest of the Dominion, and we received with joy the announcement in the speech from the Throne, in the session of 1872, that the work of constructing the Pacific Railway would be commenced without delay. We all know the disappointment which Manitoba experienced when the late Administration came into power, and the railway was located by way of the Narrows of Lake Manitoba. It is painful to me to have to censure a Government which has passed away, but I cannot refrain from repeating what I have said in the House before, that their railway policy was ruinous to Manitoba, and detrimental to the interests of the whole Dominion. Every stranger who visits Manitoba, whatever his political views may be, recognises the mistake which was made in locating the railway north of the settled and fertile lands of Manitoba. If the present Government propose to change that policy, if they have decided that the road west of Selkirk shall be built south of Lake Manitoba, they have earned the gratitude, not only of the people of the North-West, but also of the whole Dominion. In the meantime, the people of Manitoba have taken the matter into their own hands and are about to build railroads for themselves, not through a sterile country, but through the fertile lands south of the lakes where, as this House knows from evidence given before one of its committees last Session, there is already sufficient population to furnish freight and traffic to pay running expenses. They are only awaiting the announcement of the policy of this Government with reference to the route of the railway through Manitoba, to commence operations at once. Under the circumstances I hope that the Government will be able to furnish definite information on the subject. In our Province we were glad to see this Government come into power, because we knew that as soon as they were in office, we would get the justice to which we are entitled, but which we were denied by the late administration. There is a large emigration to Manitoba and the North-West this year, and they are settling in the Fertile Belt and the Valley of the Little Saskatchewan. That country would be filled up rapidly if we had railway communication to it, and the Dominion would reap the benefit by the development of its natural wealth and the increase of its commerce. I cannot speak on this question, without expressing my appreciation of the efforts which the present Secretary of State, (Mr. Aikins), made when he was on this side of the House, to have the railway constructed, as it should have been, by the southern route. I hope that he is prepared now to give a satisfactory answer to my question, and to assure me that the policy of the present Government is to adopt the route which, in his opinion, is the best, not only for Manitoba, but in the interests of the entire Dominion.

Hon. Mr. CAMPBELL—I did not like to interrupt my hon. friend, or I would

have asked him to postpone this inquiry until to-morrow, or Monday next. I am not in a position to-day to give him an answer as to the line to be adopted from Selkirk, westward. Of course, as he has remarked, up to that point the road has been built, and no change can be made. I will be in a position in a day or two, I expect, to give him the information he requires.

The question was allowed to stand.

ONTARIO AND PACIFIC JUNCTION RAILWAY BILL.

SECOND READING.

Hon. Mr. ALEXANDER moved the second reading of Bill (27) "An Act to amend the Act to incorporate the Ontario and Pacific Junction Railway Company of Canada." He explained that the object of the Bill was to extend the time for constructing the railway.

The Bill was read the second time and referred to the Committee on Railways, Telegraphs and Harbors.

DOMINION DAY BILL.

IN COMMITTEE.

The House, according to order, was put into a Committee of the Whole, on the Bill (H): "An Act to make the first day of July a public holiday, by the name of Dominion Day."

Hon. Mr. MONTGOMERY, from the Committee, reported the Bill with amendments.

Ordered, That the said Bill and amendments be taken into consideration by the House on Monday next, and that in the meantime the Bill, as proposed to be amended, be printed for the use of members.

THE CAMPBELL DIVORCE CASE.

THE PETITION READ AND RECEIVED.

The order of the day being read for the reading of the petition of Eliza Maria Campbell, praying for the passing of a Bill similar to that passed by the Senate in 1877, providing for her separation, as to bed and board, from her husband, Robert Campbell,

James Keith Gordon, of the Town of Whitby, in the County of Ontario, barrister at law, was called to the Bar of the House, and being sworn, stated that he had known the petitioner and the respondent, intimately, for over twenty years; that he had served a copy of the petitioner's notice of application to Parliament for a Bill of Divorce, upon the respondent, and that he had explained the nature and purport of it to him.

The witness was then directed to withdraw.

Hon. Mr. REESOR moved:

That the petition of Eliza Maria Campbell, praying for the passing of a Bill similar to that passed by the Senate in 1877, providing for her separation as to bed and board, from her husband, Robert Campbell, be now read and received.

The motion was agreed to on a division.

The petition was then read and received.

Hon. Mr. REESOR moved:

That the Clerk be authorized to pay the witness, James Keith Gordon, for his time and necessary travelling expenses, properly incurred by his attendance in obedience to the Order of this House.

Hon. Mr. MILLER said that notice of this motion must be given.

Hon. Mr. REESOR hoped that no objection would be raised as the House had already decided that the petitioner should be allowed to prosecute her suit *in forma pauperis*, and it was not fair to detain the witness on a technicality.

Hon. Mr. MILLER said he was not aware that the House had decided to bear the expenses of witnesses in this case: that was not the meaning of allowing the petitioner to proceed *in forma pauperis*. However, the regular notice of this motion should be given.

The motion was allowed to stand.

PUBLIC EXPENDITURE OF THE DOMINION.

THE DEBATE CONTINUED.

The order of the day being read,

Resuming the adjourned Debate on the subject introduced by the Honorable Mr. Macpherson in the following words :—

To call attention to the increasing annual expenditure in the Departments of the Public Service and will enquire if the Government has under consideration a scheme of substantial retrenchment,

Hon Mr. KAULBACH said : I think my hon. friend for Saugeen is deserving of the thanks of this House for bringing so important a subject before our notice. I consider that there are matters brought forward as regards the large and increased expenditure of this country which deserve most careful consideration, with a view to the best means of reducing it, The hon. gentleman has plainly stated that he did not for a moment expect that the expenditure for the collection of customs should decrease in the same ratio as the revenue from that source had diminished, but he did not see any reason why the cost of collection should increase by $68,428 in three years, while the revenue collected had decreased over $2,560,000. I do not think that the arguments of those who criticised my hon. friend's remarks, especially the facetious remarks of my hon. friend from Woodstock a few days ago, have met the question squarely, or that they have at all affected his position. He confined himself in his reference, to the extravagant increased expenditure in the postal service, and to the management of the offices in the eight large cities in the Dominion, where free delivery has been established. The hon. gentlemen who differed from him have signally failed on this point. They evidently have not, as yet, shown, and I believe are unable to show, any substantial reason for this increased expenditure of $269,853 in four years in the cities, while the expenditure for the service, including the large number of new Post Offices over the whole of the rest of the Dominion, was only $161,649. The conclusion must be that the excessive expenditure in the cities cannot be justified. With regard to the free delivery system, I was always under the impression that it was expected to increase the revenue instead of materially adding to the cost of the service, but we find that since 1876, since free delivery has been in full operation, there has been an increase in the expenditure of $15,535, and we have had no satisfactory explanation as to why this increase should have occcurred. I think that my hon. friend from Saugeen is fully justified in the forcible manner in which he denounced it. While no one has a greater desire to see the postal service extended and made as efficient as possible, especially in the rural districts of Nova Scotia, where greater accommodation is asked for—I believe that all attempts at extravagant expenditures will be checked and avoided by the present Government. My hon. friend has fairly said that it is not an easy matter for the present Government, in a few months, to shut the flood gates of extravagance, that were opened by their predecessors, though my hon. friend, the late Secretary of State, has taunted the Ministry with having justified that extravagance, if there was any. He says that the expenditure is a serious matter for consideration, and that it is well for us to consider if it cannot in some way be reduced. Therefore, the present inquiry meets not only the approval of the late leader of the Government in this House, but he admits the necessity for it. Yet, he expresses the belief that the whole object of it is to have a slap at the late Government. I think he has failed in his attempt to show that the particular expenditure which has been denounced, has been adopted by the present Government, when there is an estimated decrease in expenditure in the Post Office service of nearly $10,000. He, (Mr. Scott), boasted that the basis on which the Government have made the estimate this year, is the expenditure of their predecessors, and in that way he seeks to justify the extravagance of the late Administration. Although we disapprove of the reckless expenditures, yet the Government may be obliged for a time and to some extent, to base their estimates for the coming year, upon the outlay of the past. I think, however, that the Government have, to a large extent, redeemed their pledges to reduce expenditure, as far as they could do so in so short a time. If I remember correctly, (in fact I have the

right figures), the estimated expenditure for 1878–9, by the late Government, was $23,669,100; and we know from experience that their Estimates were always incorrect—that year after year their expenditure was in excess of their revenue, and of their Estimates, and they are supposed to have run in debt this year to over $2,000,000. We find that the Estimate submitted to Parliament by the present Government are only $23,472,900, and we know from the experience we have had of that Administration, when they were formerly in power, that they always kept their expenditures within their Estimates, and had millions of surplus. They have already shown by the figures I have last quoted that they intend to decrease the expenditure the first year of this new Administration, by $241,200, and that there is an honest desire to economise the public service in a way that will be satisfactory to the people of the Dominion. It must not be forgotten that the public debt and charges of management alone involve an increase of $323,000, over which this Government has no control, and for which they cannot in any way be held responsible. I see that there is a decrease in the estimate for postal service in Nova Scotia of $4,000, and a decrease to the same extent in the estimate for New Brunswick. I hope it is not intended to diminish the efficiency of the service in Nova Scotia or withdraw the mail subsidy that has been granted to the fortnightly steamers to Halifax. Until the Estimates are before us for discussion I will defer any further remarks in reference to that subject. I am glad to see that the item for Militia has been increased, and that it is to be devoted chiefly to increasing the number of days drill. The late Government boasted of having reduced this expenditure a quarter of a million of dollars. I think it was a false economy, because while we continue the full staff of officers, and have the ammunition, stores and accoutrements on hand, when the Militia estimate is reduced, it is merely decreasing the amount of drill and the efficiency of the service. The defence of our country is of the greatest importance. And if we hope to take a part in treaties which affect our interest, and if our rights are to be considered, we should be prepared to assist in their protection. We can point with pride to the war service of our Militia for 100 years, which shows a record of gallant deeds. I would almost imagine from some of the remarks of the hon. gentleman from Belleville, if I did not suppose he was jesting, that he was bearing false witness against his neighbors, the late Ministry, in his attack on the hon. member for Saugeen. I can remember not later than last session his having denounced the late Administration for their gross extravagance, culpable negligence, starving the public, and feeding their friends' jobs, public robbery, blundering, and mismanagement, though I do not think he ever declared himself in favor of a cheese-paring policy.

Hon. Mr. READ—The hon. gentleman will recollect that I made the same statement yesterday.

Hon. Mr. KAULBACH—I think he was very extravagant in the remarks he addressed to my hon. friend who introduced this subject, but he is consistent this far, that I have never known him to advocate economy, to such an extent as to interfere with the efficiency of the public service. The hon. gentleman from Prescott, (Dr. Brouse), has tried to prove that there was great extravagance in the Government previous to 1874, by showing that the expenditures in the several departments had increased forty-eight per cent. between the years 1870 and 1874. He must have known, however, that during that time, Manitoba and Prince Edward Island were brought into the union at a large cost, and all these services had been well provided for in those provinces. Yet he seemed to think that he had made a point agai st the Macdonald Government, because the expenditure of the Department of Justice had increased under those circumstances between the years 1871 and 1874, by 48 per cent., while it had only increased one per cent between 1874 and 1877. There could be no stronger evidence produced of the economy of the Macdonald Administration, than the fact that the late Government could not reduce this expenditure, but had actually increased it, although ample provision had been made for the service by their predecessors. He thought he had made a strong point in favor of his political friends, because they had not gone on and increased the expenditure in

the same ratio. But Sir John Macdonald's Government always kept expenditure within income, and not only that, but at the end of their term of office, had rolled up a surplus of ten millions of dollars. They could well afford, whilst they were prudent and economical, to have been liberal under such circumstances. But, on the other hand, the Government, whose administration of public affairs my hon. friend, (Dr. Brouse), so warmly advocates, when their five years of office expired, had rolled up deficits to the extent of $7,000,000, after having increased taxation and added immensely to the burthens of the people, and $44,000,000 to the public debt. They boasted of having reduced the Militia estimate, but they had also reduced the service until we can hardly call it a Militia at all. If we want to hold our position among nations, we cannot afford to allow the efficiency of our Militia force to be impaired. The Militia of Canada have a record of over one hundred years, and, as I have already said, they can point to deeds of daring which any regular army might well feel proud of. In my opinion whatever way the Government please to reduce the expenditure they should do all in their power to keep up the standing of the Force. I am glad my hon. friend has brought this subject before the House, and I hope he will continue to call attention to the public expenditure of the Dominion, no matter what Government may be in power, whenever, in his opinion, it is desirable to do so in the interest of the country.

Hon. Mr. DEVER—Seeing that this debate has taken a wide range, I may perhaps strain your indulgence while I add my remarks to those of the hon. gentlemen who have preceded me. It is true I cannot add much to the literature of the occasion, but still I feel it proper that every hon. member should exercise the right which he possesses to let this House and the country know precisely what are his views on public affairs. It is well known that the hon. gentleman who has made this enquiry, has done the public good service for the past three years. It is well known that he has exercised a great influence on public opinion, and in bringing to the surface an amount of information on public matters that might, otherwise, have escaped the notice of a large number of the citizens of this country; in fact I feel that the people of Canada owe him a debt of gratitude for what he has done in the public interest. I might say that like Vulcan he has forged his political bolts so carefully and, effectively that even the great Jupiter of public opinion in this country had to wince, and seemed to be so moved as to show that the attacks were well directed. The blows of the hon. gentleman were so forcible that all were convinced by the manner in which he laid the finances of the country before this House. While proclaiming that he has his full share in the exposition of the mismanagement of the late Government, and, believing. that the party who are now in power are largely indebted to him for the success that attended the late elections, I cannot go so far as to admit that all his views coincide with mine in the consideration of public affairs. I cannot agree with him that we should be so parsimonious as to reduce the salaries of our Ministers. I am one of those who believe that the salaries of Ministers are at present hardly equal to the position which they hold. I believe that the people of this country are quite willing to pay Cabinet Ministers a reasonable amount for their services, and thereby secure the best talent in the Dominion. While admitting this, hon. gentlemen, I do feel that there are expenditures that can be very well reduced, and there have been charges put upon us that I do not think this country can stand. I believe that the earnings of the people are so small, that they cannot meet the burthens that have been imposed upon them by certain measures that have been introduced by the late Government, which may well be criticized, if not reduced, very extensively. When the Province of New Brunswick came into the Confederation our taxation was very light. The general revenue averaged from 10 to 12½ per cent., and the specific duties were very low indeed. On spirits and commodities of that class we paid 36 cents per Imperial gallon, any strength. To-day we are asked to pay $1.70 Excise, or $1.03 proof by Sykes' Hydrometer, or a Customs of $2.18, any strength, say 65 p. c. over proof. Geneva then only paid 60

cents imperial gallon, any strength. To-day it pays $1.32½ the proof gallon. Brandies then only paid 96 cents the imperial gallon, any strength. To-day they pay $1.45 on the proof gallon. Irish and Scotch whiskies paid then 60 cents per the imperial gallon. To-day they pay $1.32½ on the proof gallon. In those days we paid 5 cents per pound on tobacco, a very large item, which yields $1,775,000 to the revenue. To-day we are called upon to pay 20 cents per pound on the same article. In those days we found our low duties were ample to meet our expenditures, and that they were quite equal to the ability of the people to pay them. How must we feel to day when these articles are advanced some three hundred per cent. and flour, coal, and other commodities of that class are also taxed? You will see at once, hon. gentlemen, that it behoves us as representatives of these provinces, though we may feel delicate about charging this Government or that Government with unnecessary expenditures, to remind the Administration that the people should be relieved of all taxation that can be dispensed with. The present tariff calls upon us to pay upon brandy 125 per cent.; gin, 306 per cent.; rum, 312 per cent.; Scotch whiskey, 122 per cent.

Hon. Mr. CAMPBELL—Hear, hear.

Hon. Mr. DEVER—Irish whiskey, 122 per cent.; tobacco, 300 per cent.; wines from 40 to 50 per cent., and other luxuries in the same proportion. I fear that those excessive duties will be the cause of adding largely to the expenses of the people, because it will be an utter impossibility, in my opinion, to prevent many of those goods from being smuggled in from other countries to evade the high rates of duty. I may also remark, without desiring in the least to say anything to injure the feelings of the hon. gentlemen who represented the late Government in this House—two gentlemen for whom I have always had the highest regard, from the fact that they have always performed their duty faithfully under the most trying circumstances, but I cannot allow the opportunity to pass without referring to statements made on two or three points by these gentlemen and their friends. My hon. friend Mr. Scott was kind enough to state that the paltry sum of $200,000 a year represented almost every expenditure introduced by the late Government in this country. I cannot agree with the hon. gentleman in this statement, for I find that the pensions and superannuation lists have greatly increased since 1873–4. At that time the amount was $120,896.68. In 1874–5 it had increased by $20,058.15; in 1875–6 it had increased again by $90,931.52; in 1876–7 it had again increased by $96,461.44, and in the last year 1877–8 it had increased again by $91,534.28—in other words making a total increase of $298,985.39 during the term of the late Government. These items alone call for a diminution, and everything that can possibly be done should be accomplished to keep the expenditure within the legitimate earnings of the people of this country. I shall now direct the attention of this honorable House to the Weights and Measures' Act, an Act that has caused this country, since it was put into operation by the late Government, a great deal of annoyance, and an expenditure of $377,325.33 between the years 1874-5 and 1877-8. The first year it cost the country $69,969.92; the second year, $99,785.05; the third year, $111,085.70; and last year, $96,484.66—making the total that I have given. When we take into account the fact that this measure was wholly uncalled for, that even at the introduction of it this Chamber took every precaution to warn the Government, as friends, that such a measure would not be received with satisfaction by the country, and that, as business men, we did not consider the Act was required—

Hon. Mr. PELLETIER—Will the hon. gentleman undertake to say that it was introduced by the late Administration?

Hon. Mr. DEVER—It was passed by their predecessors, but it had been kept in abeyance until the late Government came into power. The friends of the late Administration have declared over and over again that the Macdonald Government were alone responsible for this unpopular measure. Until the hon. gentleman and his friends came into power, the Statute was a dead letter, and could only be

brought into existence by proclamation. But, finding that the operation of this Act would give to the Government a large amount of patronage, I do not hesitate to say that they brought it into existence solely for that purpose, and have imposed upon the people an unnecessary taxation, to the amount of $377,325. I do trust that the present Government will see their way to amend this Act, so that it will not be so oppressive in its operation. I would suggest that if such a measure is at all necessary, it should be made a permissive law, so that municipalities could adopt it or not, according to the wishes of the people.

Hon. Mr. KAULBACH—The Government have reduced the expenditure in this service by $37,000.

Hon. Mr. DEVER—I am aware of that, and I am glad to see it. Then, passing on to the Customs, I find that between 1873--4, and 1877--8, the cost of collection has increased $206,617.61, and that there has also been an increase in cost of the Excise Department of $16,054.09. The cost of Administration of Justice has also been increased in the same period by the large sum of $335,864.27. I presume that the principal cause of this has been the establishment of the Supreme Court, against which there was such a general outcry in the country. In examining into the Public Accounts, it will be seen that every service in which a large number of officials could be appointed shows an increased expenditure, while Departments that have not a great deal of patronage at their disposal do not show the same result. This, to a certain extent, sustains the charges of the hon. gentleman who has moved this enquiry, and as I am desirous that this matter should be discussed, if possible, without unkind references to political opponents, or political friends, I leave it for the public to decide for themselves. Now, with reference to my hon. friend opposite, (Mr. Alexander), who so good naturedly took the hon. gentleman for Saugeen to task in this debate, I certainly feel that he has acted very inconsistently with his former record in this House. On other occasions I have always found him solemnly declaring against the extravagance and the unwise and unpatriotic policy of the late Government, but for some reason of which I am not aware, he seems to have changed his political views, and to take great pleasure in ridiculing, with a certain amount of buffoonery, the hon. gentleman who has been patriotic enough to introduce a subject which is calculated to arouse the people of this country to a sense of the true position in which they are placed.

Hon. Mr. ALEXANDER—No, no.

Hon. Mr. DEVER—He considers strange, that the friends of the Administration should give them any advice or interfere in their management of the affairs of State. If that doctrine were carried out, I do not see what business this Senate has here at all! I do not see what business the hon. gentleman has here himself! He might as well stay at home, or walk in the corridors, if the Government are to be allowed to administer the affairs of the country without any advice, co-operation, or counsel on the part of their friends. I do not wish to trespass any further upon the time of the House, as there are other gentlemen who are prepared to give their views on this subject. I will simply declare that I have the most friendly feeling for the leaders of the present Administration; and I shall always feel myself in honor bound to support every good measure introduced by these gentlemen. It is my conviction that they will display that wisdom and statesmanship we anticipated when reinstating them in power, but we owe a duty to the people, and we cannot turn a deaf ear to their demands. I shall read a short extract from the St. John *Telegraph*, a paper which wields an influence equal to two-thirds of the people of New Brunswick. Unfortunately, it is somewhat against the present Government, but I must give it the credit to which I think it is entitled, as representing the strong sentiment of that Province against excessive taxation. The *Telegraph* says :—

"We will defer a full consideration of the tariff until we are assured of the form it will finally assume. We said that the elections could never have been carried on this most outrageous tariff now being promulgated. Need we say that Confederation could never have been carried here, had the idea that such a tariff could ever have been forced on the Maritime Provinces? Then we were told how low the *per capita* tax would be, and how low the tariff would be kept. We were to have cheap

food, fuel, etc., so as to manufacture cheaply, and send up our goods to the Upper Provinces. Now all this is reversed, though the Government in power is almost identical with that which carried Confederation."

Seeing that the leaders of public opinion in many of the provinces entertain such views, I cannot help, while I have the greatest regard and confidence in the present Administration, stating that we do expect from them every consideration, and every reduction of taxation that is possible within the limits of liberal, patriotic and wise legislation.

Hon. Mr. HAYTHORNE—It is quite apparent that the importance of this debate has not been under-rated by the House, judging from the manner in which it has been received, and the general tenor of the speeches, and I, for one, am not at all disposed to withhold from the hon. Senator for Saugeen that meed of praise which was awarded to him by the hon. gentleman from York (Mr. Allan); only I should have been disposed to accord it to him in a larger proportion had it not been that he availed himself of the opportunity afforded him by this discussion to make an onslaught on the late Government; also, because he took occasion to depreciate and under-rate the legislation of this House, more particularly the measures of last session. I must say that, in my humble judgment, the charges which the hon. gentleman made against the late Government, were ably and completely met by two of the hon. gentlemen, who formed part of that Government themselves; and some further charges which he brought forward, of excessive expenditure in the Post Office Department, were met with equal ability by my hon. friends from Belleville (Mr. Read) and Prescott (Dr. Brouse.) It is my opinion that even if a considerable increase in the expenditure of the Post Office Department had been shown, it would not have been surprising under the circumstances in which the Dominion stands at present, a new country with a widely scattered population, who eagerly desire to obtain knowledge disseminated through the press as well as by letter. It is quite consistent with the requirements of our age that we should have, and we must have, extensive post office accommodation, and, therefore, I should not have been surprised to find that it turned out, on enquiry, that the expenses of the Post Office Department had very considerable increased. Now, with regard to the hon. gentleman's remarks on legislation, I must say that I consider them to have been altogether uncalled for and unjust, and my ground for saying so, is that he estimates the value of our legislation from the measures actually passed during last session.

Hon. Mr. MACPHERSON—The whole term of the Parliament.

Hon. Mr. HAYTHORNE—If he measured it by last session alone, I say that there was quite a considerable number of important measures passed here last year. Let me just enumerate a few of them. There was, for instance, one most important measure—an Act which places the legislation of Canada on the subject of temperance far ahead of the legislation of Great Britain, and, perhaps, beyond that of the United States. I allude to the Temperance Act of Canada, which was passed last session. Although it was introduced and carried through the House by the leader of the Government here, yet I am aware that he was well assisted by other hon. gentlemen who have taken a strong interest in that question for years past, but it is only a further example that legislation is not the emanation of a single session, but the culmination of long years of labor and management. The passing of that Act has given satisfaction to those who introduced and carried it, and it is giving satisfaction to the country. If that, alone, had been the only great measure of last session, there are many individuals, holding temperance views, throughout the length and breadth of the Dominion, who would say that the work of that session was useful. But that is not the only one. We had a measure passed to preserve the independence of Parliament; we had an amendment to the Election Law for the House of Commons, a measure relating to the auditing of the Public Accounts and others relating to matters of minor importance, besides the private bills and routine work, of which the hon. gentleman takes no account whatever. But I say this, to measure the labors of a Parliament by the number of bills they pass, or even the importance of the bills they pass,

is a very fallacious and arbitrary method, because we know, and the experience of the Imperial Parliament is the same as ours, that all important measures have been carried only after long and laborious efforts. Let the hon. gentleman reflect on the career of the great Wilberforce who spent a lifetime in Parliament before he was able to carry the abolition of slavery. Does the hon. gentleman recall the labors and the length of time spent by those men who carried Catholic emancipation, the Reform Bill, and other great measures before success crowned their efforts? The hon. gentleman does not depreciate the labors of those men or assert that because they did not carry their measures in any particular session that their work was barren of results. I will not dwell upon a subject which may be unpalatable to a majority here, but I might instance the long debates and years of labor which preceded the introduction of the principles of free trade into Great Britain; but I think I have shown that the labors of Parliament cannot be measured by the number of bills which are introduced and carried into law, and that Parliament may be usefullyand profitably employed for the benefit of the country, though the statute books may not show a large number of important measures. But perhaps there is another test which might be applied to this subject, with which the hon. gentleman himself is more intimately concerned. Will he say that the labors of the select committees of this House, with which he was so intimately concerned last session, went for nothing? Will he say that all those investigations which were undertaken by special committees, of which he was either the mover or the principal instigator, had no result? I, for one, do not agree with the conclusions at which some of those committees arrived, but still it must be admitted that their labors cannot be regarded as trifling or insignificant in character. I think that the hon. gentleman himself ought to be one of the first to acknowledge the advantages he gained in a former session of Parliament, by the research and investigations of select committees. Even now, the hon. gentleman is engaged on what may turn out to be an exceedingly useful enquiry, though no Act of Parliament may emanate from it. I noticed some of the remarks of the hon. Senator from Lunenburg. I think he spoke of unfinished public works and the Pacific Railway. We all know that one of the great causes of the increased expenditure of the Dominion has been that for several years past we have been engaged in extensive public works, and especially an attempt to carry across this continent, from ocean to ocean, a line of railway to unite the outlying provinces with the rest of the Dominion by a single iron bond. That undertaking, as most hon. gentlemen are aware, has proved exceedingly difficult. more difficult than those who first contemplated the project had any idea of themselves. We know that a railway like that differs from a line running through a settled country where, as soon as fifteen, twenty or thirty miles of road are in running order, there is some return for the outlay upon it. But in the case of the Pacific Railway we know that, up to this time, we have incurred an enormous expenditure for surveys, grading, construction, etc., and, as yet, have not been repaid one shilling for the outlay. But this is one of the circumstances of our situation. We ought to have calculated, when we undertook to build the Pacific Railway, that for years to come our treasury would receive no return for the expenditure. We look not only at the past, but to the future, and we know that it will be years before we can expect a revenue from that railway, and we have yet to make other and very much larger expenditures upon it. I very much admired the tone of the speech which we have just heard from the hon. Senator from St. John. I only regret that the hon. gentleman does not more frequently favor the House, because, from the spirit of his speech to-day, we must be very thankful to him for engaging our attention. He made some remarks with reference to the increased expenditure, one of the causes of which, the Supreme Court, he seemed to condemn. Now, I must say, though the cost of that court may seem large, I, for one, am not disposed to find fault with the Ministers or Parliament, who inaugurated that institution, and I say so for this reason: we have now within our own country a court to which we can carry our appeal cases, and meet there a bench of Judges conversant with our laws, our pecularities, hab-

its and usages. I speak feelingly upon this point, because it has been the fortune good or ill, of the Province with which I am connected to have carried certain appeal cases to that Court. I am not going to assert—far from it—that if, in the absence of that Court, we had carried our cases to any court in England, we would have received less than justice there upon a question relating to the tenure of land, (because we all know the feeling in England on the subject), but when the local Government of Prince Edward Island found it necessary to carry their appeals to the Supreme Court of Canada, they felt certain that they brought them to an impartial and able Court, one that would sympathise with them and be certain to give them full and complete justice. I am not disposed to find any fault, therefore, with the expenditure necessary to establish the Supreme Court. There were certain remarks which fell from the hon. Senator for Saugeen which I think it becomes this House to grapple with fully and fairly. I allude to what he said with reference to the indemnity of members. I, for one, would not say a word in opposition to the reduction of the indemnity to members, provided it is not expected that only members of Parliament—I speak of both branches of the Legislature—shall be immolated on the altar of retrenchment. Let us be satisfied, first and foremost, that we are to have full and thorough retrenchment in the public expenditure. Let there be a searching investigation, and, if we have not given value for what we have received, let all other officers who are overpaid submit to such a reduction of their salaries as the circumstances of the times render necessary. I, for one, admit that I am not unwilling to favor such a reduction as that, but I think, certainly, that the reduction ought not to begin with the Legislature, affirming as I do, that we have given value for all that we have received. I have given an idea of what the work of this House has been, the measures which we have passed and the labours which some of us have undergone in certain committees, and I say further that the duties of members of this House do not begin and end with each session of Parliament. Any member of Parliament who fully purposes doing his duty must be prepared to resign a large part of his leisure, and bestow a vast amount of study on the public questions of the day. In order so to do, his labors must extend over a large period of the year. A man who so acts is not overpaid by the small amount awarded as indemnity to members here. There may be other points on which I do not care to enlarge. I know that some gentlemen who attend this House can do so without any great disadvantage. Their homes are not far distant from the capital, and they can revisit them frequently during the session. But it is not so with all of us, and as we cannot make any distinction to meet such cases, we must pay the same indemnity to all, and I maintain that we are not over-paid for the work which we do, or ought to do here.

Hon. Mr. FLINT—I think that the thanks of the House and of the country are due to the hon. Senator for Saugeen who has so ably brought forward this question ; although I think that he might, in some respects, have supported it better, had he taken more time in examining into, and getting up his figures correctly. Figures are said to be facts which speak for themselves. I do not propose to deal with any part of his speech, except his references to the Post Office Department. I believe that the thanks of the country are due to both Governments—the first Government of the Dominion, and the Administration which succeeded it—for the course which they have taken with reference to the Postal Service in this country, and although it did appear when the hon. gentleman was speaking, that the expenditure of the Department largely exceeded its revenue, yet, notwithstanding that, when we take into consideration the number of new offices opened, and the mileage of postal routes travelled, the reduction in postage rates on letters and newspapers, and the increased accommodation to the public, we cannot wonder at the deficit. The late Government with all their faults, (and they had many), were justified in their management of the Post Office Department, and, if their policy, in that respect, is not continued by the present Administration, a mistake will be made. A great deal of the increased expense of the Department has been caused in giving greater accommodation to the people in the back

parts of the country, and I think that the money has been well employed. It is possible that in the city offices a reduction might be made, but the allowance made to country postmasters cannot be considered extravagant. In one place in Muskoka district. fourteen mails pass through the post office every week, and the postmaster receives, for opening, distributing, and closing these mails, one and six-twentieths cents each mail. At another office, back on the Hastings Road, where there are six mails during the week, the postmaster receive the munificent sum of 8⅓ cents per mail for opening and closing the mails and attending to the duties of his position. I have been at that office several times, and I know that it takes him, or some member of his family, three or four hours every day to attend to the wants of the people. When you consider that these are not isolated instances, but fair illustrations of the postal arrangements in country places, I think you will agree with me that the postmasters are very shabbily paid. I do hope that the Postmaster-General will see the propriety of giving something extra to these officials. It is not to be expected, however, that they are actually working for the sake of the small pittance they get. Were that the case, they would not accept of it. I know, myself, very many postmasters who say that they merely take the position for the purpose of giving postal accommodation to their neighbors. If my hon. friend for Saugeen had looked more carefully into this matter, he certainly would not have made the statement he did the other day in reference to that Department. There is one other point to which I desire to call attention—the expense which has been incurred in repairing and furnishing Rideau Hall. The amount which has been paid in five years is as follows:—

1874	$61,550 93
1875	39 150 58
1876	36,506 92
1877	35,991 28
1878	41,951 46
Total in these five years	$215,151 17

Equal to $43,030.03 per annum.

When we add to this amount, which has been expended in repairing and furnishing these buildings, the salary, travelling, and other expenses of the Governor-General, I think the House will agree with me that there should be a limit to this enormous outlay. Let anyone see that pile of buildings for himself and say whether it is necessary to expend any more upon them, or whether we have value for what they have cost us. I do not condemn anyone, but I draw attention to this fact, to show that instead of commencing to retrench in the Post Office Department, we should begin it in high places. With reference to the indemnity question, I agree with the hon. Senator from Prince Edward Island, (Mr. Haythorne); so far as I am concerned, I have no objection to have my sessional allowance reduced, but, I think, if we are to retrench at all, we should begin at all points, and let every portion of the public service feel the pruning knife. I believe that we receive none too much for our services. Although I do not live as far away from the Capital as the hon. gentleman, (Mr. Haythorne), does, I have always felt it my duty to remain at my post here rather than ask this House to adjourn. If we are to inaugurate a policy of retrenchment, let us commence at the head and go down by degrees, that we may ascertain how much we may save in that way to the country.

Hon. Mr. McLELAN moved that the debate be adjourned until to-morrow.

THE DISMISSAL OF THE LIEUTENANT-GOVERNOR OF QUEBEC.

GOVERNMENT ANNOUNCEMENT.

Hon. Mr. CAMPBELL—Before the House adjourns I am sure that hon. gentlemen will be interested to know the course which has been pursued, and the stage at which matters have arrived, on the question which this House pronounced an opinion upon last Session, and which the other branch of the Legislature has expressed its opinion upon this Session, condemning the conduct of the Lieutenant-Governor of Quebec. A paper has been read in another place to-day, and the same information should be furnished to this House also. It is as follows:—

Sir John Macdonald waited on His Excellency the Governor-General and informed him that after the resolution of

the Senate in the last Session of Parliament, and the resolution of the House of Commons during the present Session, it was the opinion of His Excellency's advisers that the usefulness of the Honorable Letellier, as Lieutenant-Governor of Quebec was gone, and they advised that, in the public interest, it was expedient that he should be removed from his office. His Excellency thereupon was pleased to state that as the federal system, introduced by the British North America Act of 1867, was, until then, unknown in Great Britain or her colonies, there were no precedents to guide us, that the decision of the present case would settle for the future the relations between the Dominion and the Provincial Governments, so far as the office of the Lieutenant-Governor is concerned, and that he, therefore, deemed it expedient to submit the advice tendered to him and the whole case, with all the attendant circumstances, to Her Majesty's Government for their consideration and instructions.

The House adjourned at 5.35 p.m.

THE SENATE.

Friday, April 4th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE CAMPBELL DIVORCE CASE.

THE BILL INTRODUCED.

Hon. Mr. ALLAN, from the Committee on Standing Orders and Private Bills, reported that they had examined the petition of Eliza Maria Campbell, of Whitby, Ontario, praying for the passing of a Bill, similar to that passed by the Senate in 1877, providing for her separation as to bed and board from her husband, Robert Campbell, and found that the provisions of the 72nd Rule of the House had been complied with.

Hon. Mr. REESOR moved that the 49th rule be dispensed with in so far as it related to a Bill for the relief of Eliza Maria Campbell.

The motion was agreed to on a division.

Hon. Mr. REESOR introduced Bill (K) "An Act for the relief of Eliza Maria Campbell."

The Bill was read the first time.

Hon. Mr. REESOR moved:—

That the said Bill be read a second time on Friday, the Eighteenth day of April, instant, and that notice thereof be fixed on the doors of this House, and Senators summoned, and that the said Eliza Maria Campbell may be heard by her Counsel at the second reading, to make out the truth of the allegations of said Bill, and that Robert Campbell may have a copy of the said Bill, and that notice be given him of the second reading, or sufficient proof adduced of the impossibility of so doing, and that he be at liberty to be heard by Counsel what he had to offer against the said Bill at the same time.

That the said Eliza Maria Campbell do attend this House on the Eighteenth day of April in order to her being examined on the second reading of the said Bill, if the House should think fit, relative to the desertion and cruelty of Robert Campbell, and the other causes set forth in the said Bill.

The motion was agreed to on a division.

WELLAND RAILWAY COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. DICKEY, from the committee on Railways, Telegraphs and Harbors, reported the Bill intituled "An Act to authorize the Wellrnd Railway Company to convert their six per cent. mortgage bonds into five per cent. debenture stock, and for other purposes," without any amendment. He said that the Committee had inquired into the question of jurisdiction and found, on reference to the original charter, that the Company were empowered to own and work vessels to trade with the United States and other countries, and that, therefore, the Bill came within the jurisdiction of this Parliament. The Committee had no difficulty in recommending that the Bill be passed.

Ordered, that the Bill be read the third time on Monday next.

KINGSTON AND PEMBROKE RAILWAY BILL.

REPORT FROM COMMITTEE.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbors, to whom was referred the Bill intituled "An Act to amend the Act incorporating the Kingston and Pembroke Railway Company," reported the same with several amendments. He said that, in this case also, the Committee had inquired into the question of jurisdiction. They found that the Company's charter empowered them to connect with railways in the Province of Quebec, and, therefore, that it was of an inter provincial character, which gave this Parliament a right to deal with the measure.

Ordered, that the said amendments be taken into consideration by the House on Monday next.

CONFLICTING CLAIMS TO LANDS IN MANITOBA.

MOTION FOR A RETURN.

Hon. Mr. GIRARD moved :—

That an humble Address be presented to His Excellency the Governor-General, praying that His Excellency will cause to be laid before this House—The report of all cases returned to the Government by the hon. Chief Justice Wood, Commissioner, under the Act 38, Victoria, Chapter 53, as amended by the 41st Victoria, Chapter 14.

He said : I know that under the Act 38, Victoria, Chapter 53, commissioners were to be appointed to investigate all cases of conflicting claims to lands in Manitoba, and I know that during the last year Chief Justice Wood has been acting in the capacity of commissioner under that Act. What I want to ascertain is, how many cases have been heard before him, and what has been the result? The law relates only to those cases upon which the commissioner has received instructions from the Minister of the Interior. That is all very well, but there are other cases, which do not come under that law, to be referred to them, and it would be very desirable that these doubtful cases should be decided as soon as possible. Until recently, we did not attach much importance to titles to property, but at present land is increasing in value in Manitoba, and those who are coming to that province, and who are making such large sacrifices to settle there, should not be allowed to remain in doubt any longer upon this point. I remember the stand taken during the last session by the hon. gentleman who is now leader of this House, when I represented the position in which this case stood, and I understood from him then, that if he had an opportunity at any time to see justice done to us, he would not hesitate to grant it. I am well enough acquainted with him to know that he is desirous of doing justice to the Province from which I come, but at the same time I do not think that any thing has been accomplished in that direction yet; and I would like to know what the policy of the Government is on this question. There should be a limited time wherein claims of this kind should be submitted for examination, and there should be an end to all those questions as soon as possible. If the policy of the Government is not announced before long I shall most respectfully ask the Government what their policy is; but I shall content myself now with moving for the papers relating to the subject.

Hon. Mr. CAMPBELL—I did not know that my hon. friend from Manitoba was going into the general question, and I merely ascertained from the Minister of Justice that there was no objection to the papers coming down. I cannot, therefore, follow my hon. friend into the other remarks which he has made, but on some future occasion, when he calls attention to it by enquiry, or some other way, I will give him what information I can. He will remember, however, that sometimes what is done in opposition is not always convenient to be done in the Government.

The motion was agreed to.

THE BRITISH COLUMBIA TELEGRAPH.

INQUIRY.

Hon. Dr. CARRALL enquired :—

Whether the Government intend to appoint an Inspector of Telegraphs for the Province of British Columbia this year?

He said : Perhaps it may be interesting to hon. gentlemen who are not

familiar with the topography of British Columbia, to hear a brief history of the telegraph in that country. It is, briefly, this: The line was constructed through the interior of the country by the Western Union Telegraph Company before the Atlantic Cable was a success. It was thought by electricians at that time, that a message could not be transmitted across the bed of the Atlantic, and the Western Union Telegraph Company built this line with a view to carrying it across Behring's Straits to Asia. When the cable was found to be useful, this line through British Columbia was discontinued, and Mr. Trutch and myself, representing that Province, purchased it from the Western Union Company. It fell into disrepair, and the Government have, practically, rebuilt the line. It is managed by operators at different points, and there is, of course, a Superintendent; but the line is so very extensive that he cannot inspect the whole of it. There are several cables from the Island to the Mainland, and, by reason of the terrific currents there, the friction, where the rock is abrupt, cuts the gutta-percha covering off the wire, and his presence is needed constantly in Victoria and along the coast to superintend it. In rebuilding that line they have put down splendid posts, but in the green timber country it takes very abrupt turns, and the wire has tightened so much by storms, at those acute angels, that the posts have already given way. The only people to inspect this line, some 600 miles in extent, are the telegraph operators, who are mere lads. Their instructions are to see that the posts are put in holes three feet deep. The posts, as I have said, are good, but in consequence of bush fires and other causes, the line requires constant supervision. I believe that economy is the order of the day, except, so far as the sessional indemnity is concerned, and I merely make a suggestion which the Government may act upon or not as they think best; but I think that an inspector for this line is necessary.

Hon. Mr. CAMPBELL—I did not know why my hon. friend had put this notice of inquiry on the paper. I hear now, for the first time, the reasons which actuated him in doing so. I will call the attention of the Minister of Public Works to his suggestion, but at the present, I can only say, in reply to his question, that it is not the intention of the Government to appoint an Inspector of the Telegraph Line in British Columbia this year.

INTERNATIONAL BRIDGE COMPANYS' BILL.

Hon. Mr. FERRIER moved the third reading of Bill (11) "An Act respecting the International Bridge Company."

Hon. Mr. HOPE begged to make a few remarks before the passing of the Bill. He had been under the impression that the rate of tolls to be exacted from the Railway Companies that used the Bridge would have been laid before the House. In looking through the charter of this Bridge Company, he observed an entire absence of any provisions to fix the rate of tolls. Although the Railway Companies paid them in the first instance, every one knew that the producers and consumers of the products which formed the freights of those railways, had to pay them in the long run, and, if the tolls were very exorbitant, the agricultural population would have to bear the burden. Had the rate of tolls been fixed by the committee to which this Bill had been referred, he would not have been obliged to discuss the question at the third reading. The tolls should be regulated by the actual cost of Constructing the Bridge. In the original charter, the Company were required to provide a bridge for foot passengers, carriages and railways. The Company had failed to provide this accommodation for foot passengers and carriages. It had been stated in committee that a law suit was now pending between the Bridge Company and some individual on this point, and that, therefore, the matter could not be dealt with in the Bill. That was an argument which could be used on both sides; the Bill should not become law until that suit was decided. He thought that the Bill should be amended by restricting the tolls to an amount based on the actual cost of the Bridge.

Hon. Mr. FERRIER said that there was nothing new in what the hon. gentleman had submitted to the House. The same statement had been made before the

Committee, and had been fully met at the time. It had been shown that the passing of this Bill would not affect any claim which had been brought against the Company for the non-construction of a foot-path. The only object of the Bill was to enable the Company to pay its debts, and repair the bridge in case of accident.

The Bill was read the third time and passed.

THIRD READINGS.

The following Bills were readthe thir p time and passed:—

Bill (2C) "An Act to amend the Act 41 Vic., cap. 29, intituled: 'An Act to revive and amend the Act incorporating the Montreal and Champlain Junction Railway Company.'" (Hon. Mr. Ferrier.)

Bill (D) "An Act to amend the Act incorporating the Ottawa Loan and Investment Company, and to change the name to the Manitoba and North-West Loan Company, (limited)." (Hon. Mr. Vidal).

PUBLIC EXPENDITURE OF THE DOMINION.

THE DEBATE CONTINUED.

The order of the day being read—

Resuming the adjourned debate on the subject introduced by the hon. Mr. Macpherson in the following words:—

To call attention to the increasing annual expenditure in the Departments of the Public Service, and wi l enquire if the Governmenthas under consideration a scheme of substantial retrenchment.

Hon. Mr. McLELAN said: I shall only ask the attention of this hon. House for a very short time on the present occasion. I find that the debate has been narrowed down to one or two points upon which my hon. friend from Saugeen will, I am sure, define his position; and, with the figures and the facts under his hand, make good his statements upon the several points to which the debate has extended. I shall, therefore, detain you only to make a few observations of a general character. The hon. gentleman from Prince Edward Island, (Mr. Haythorne), blames my hon. friend for Saugeen for what he terms an attack upon the late Government in his remarks.

Hon. Mr. HAYTHORNE—I stated that I would give him less credit than I otherwise would have done, had he not attacked the late Administration.

Hon. Mr. McLELAN—The hon. gentleman seems to think that my hon. friend made an onslaught on the late Government in introducing his observations to the Senate. It appears to me that in the new position which the hon. gentlemen opposite occupy, they are anxious to introduce a new policy for the practice of this hon. Senate; that now, when they are in opposition, we must speak with bated breath and touch with gloved hands the policy of the late Administration. The hon. gentleman seems to think that my hon. friend for Saugeen should have looked at the legislation of the past four years, and measure his attack upon the late Government by the value of that legislation. He referred to the Supreme Court Bill. I am not sure hon. gentlemen, that the people of this country who pay from fif y thousand to sixty thousand dollars a year to maintain that institution, hold it in the same high estimation that the hon. gentleman from Prince Edward Island does. The hon. Senator also referred to the Temperance Act, and seemed to think that the late Government were entitled to very great credit for having passed that measure. The House knows, and hon. gentlemen will remember, that that Act was forced upon the Government by the popular opinions of this country; that we had, year after, brought in and laid on the table of Parliament, petitions, outnumbering any petitions that men ever presented on any other subject; and in obedience to the views of the people of this country, this Act was passed through this Senate and through Parliament without reflectiug any speeial credit upon the late Administration. The hon. gentleman also referred to the fact that two committees had been appointed by this House —one of which was at the instance of the hon, Senator for Saugeen—but the House will remember that those committees, although granted, were not voluntarily given by the late Government, and then

when we look at the result of those committees—

Hon. Mr. HAYTHORNE—Perhaps the hon. gentleman will allow me to explain. My statement had no reference to the motives of the hon. member for Saugeen; I adduced these things as proof of the work which had been done by the late Parliament, which the hon. gentleman in his speech had depreciated.

Hon. Mr. McLELAN—I think that the House understood the hon. gentleman as having justified the course of the late Government, by the legislation that had been enacted during the past four or five years, and he instanced the fact that two committees had been granted by this House to investigate important matters. If we look at the result of that investigation, I am sure that it will not reflect any credit upon the late Government, or upon any government that could be responsible for such works as those committees were called upon to investigate. We had a committee upon the Fort Frances Lock construction, which elicited the fact that the late Government had expended over a quarter of a million of the people's money upon a scheme wilder and madder than any scheme upon which money either public or private, had ever been wasted. We had another committee to investigate the purchase of the terminus of the Pacific Railway, and that committee made clear and undeniable the fact that the late Government were powerless in the hands of a speculating ring of their friends, and had paid for a terminus in the wilderness a fabulous sum, a sum which was unheard of before in the purchase of any lands or property of a similar character in this country—a sum which only could have been justified had the stumps which covered that lot been like the ornaments in Solomon's Temple, overlaid with silver and gold. These facts were brought out clearly by the investigation of those committees, and so when one act after another was exposed by investigation of committee, or debate, or the production of public accounts, and the whole presented to the people for their verdict, the perpetrators of those acts were swept from power. In the words of the Senator from Woodstock, "the late Government is down," and he, as well as the Senator from Belleville, has reminded us that "it is not British to strike a man when he is down." When these hon. Senators used the expression, I thought that, in the magnanimity of their nature, they had extended the rule to the late Government, but a moment's consideration showed me that they only intended it as a reflection upon the members of that Government for the course they and their party had for five years pursued towards their predecessors. They did not think it un-British to strike a Government, —their predecessors. My hon. friends, no doubt, called to mind that when their old Chieftain was struck down, he was not spared politically or personally—that for five long years the attack was thus continued with a savage ferocity unequalled in modern days outside of Zulu land, and, recollecting this, they only used the expression as a keen and cutting rebuke to the hon. gentlemen who so long pursued that course without mercy. The hon. the ex-Minister of Agriculture regretted, in this discussion, that he has had to refer so frequently to matters that have been discussed before. I regret it also. The hon. the ex-Secretary of State in his speech took a position to which, as time and again we have shown, he was not entitled, in discussing the public expenditure of the Dominion. He made the general statement that the Government that had preceded the Mackenzie Administration had increased the expenditure from 1870 to 1874 something like $4,000,000, and he had to be reminded that this increase was due to the admission of three provinces, and the North-west Territories, (which involves almost as great an expense as a province of itself) into the confederation. But, with all this addition of provinces and territories, the hon. gentleman is compelled, in order to show so large an increase as he states, to take an incorrect account. The hon. gentleman takes the account of the ordinary expenditure of 1874, as made up by himself, or by his Government, for his comparison. On one or two occasions, I have had to call attention to the mode in which that account has been made up. Elsewhere, it has been pointed out that the accounts of 1874, made up by the late Government, included a number of charges that did not properly belong to

the expenditure of that year, and not to be included in any comparison to be made with any other years. If you turn to the account, as made up, you will find that the expenditure of 1874 is put down at $23,316,000, but in that you will find certain sums that are either special charges, or are items voted by Parliament, in the preceding year, as chargeable to capital account. You will find amounts for rolling stock and snow sheds on the Intercolonial Railway, Customs refund to the Western Railway elections, Dawson Route military stores, etc., leaving, as the net expenditure for that year, $22,042,000. Now, the ex-Secretary of State claims that in 1878 there has been a reduction in the controllable expenditure, amounting to something like $2,000,000; but, taking this corrected basis of comparison of the year 1874 with 1878, you will find that there has been an increase in that year, over the expenditure of 1874, of $1,460,749. and, if you add to that the decrease that has been made in the subsidies to the Provinces of Nova Scotia, New Brunswick and some other provinces, amounting to $279,950, you will find that the actual increase in 1878 over 1874 amounts to $1,740,649. The hon. gentleman claims that there has been a reduction of something like $2,000,000 in the controllable expenditure of 1878, from what it was in 1874. Looking at the items, I find that in the Militia expenditure there has been a decrease of $360,000, —mainly for a reduction in the training of the men, which is really no evidence of economy. So it is also in the Public Works; we find that the Post Offices, Customs Houses, and various other public works throughout the country, commenced previous to 1873, have been finished, and as no further expenditure in that direction was necessary last year, there was a reduction of $828,000 in Public Works. In the Light House and Coast Service there was a reduction of $76,000—saved because the light houses were completed. Then, in the Dominion Lands Survey, sufficient surveys had been made for some years to come, and as the work was stopped, the expenditnre had ceased also, and there was a saving here of $195,535. Then, again, the military force in Manitoba which cost $198,959 has been withdrawn, as no longer required; a saving was effected there of $198,955. Then the Boundary Survey having been completed there was no necessity for further expenditure there, and another saving of $35,383 was made. But, taking up the accounts of 1874, we find charged against the expenditure of that year, the extra session of Parliament, estimated at $200,000, and a charge for military stores of $144,000. These stores having been procured it was not necessary to continue the expenditure. There is also a charge for Customs refund of $69,330, to the Great Western Railway, a special charge made against 1874. Taking all these items, amounting to $2,108,113, for which the expenditure did not require to be repeated or continued, you will find that the reduction claimed by the ex-Secretary of State is in items which are no evidence whatever of economy on the part of the late Government. Without carefully analyzing the statement submitted to them by the hon. ex-Secretary of State, no doubt many persons have been carried away with the impression that the controllable expenditure of 1878 was reduced by $2,000,000. as compared with 1874. The hon. gentleman from Belleville, even, was caught in the trap. My hon. friend, (Mr. Read), in his address to the Senate. stated that women are more far-seeing than men, as a general rule. I have no doubt that hon. gentlemen of experience who heard him, were gallant enough to assent to the proposition, and, I dare say, very many thought, that being the case, that it would be well if we could always have the advice and assistance of the ladies on difficult matters; and when the hon. Senator from Belleville continued his remarks, his friends must have felt that he was speaking without the benefit of such counsel, and have deeply regretted that Mrs. Belleville was not present to save him from being so easily led away by the statement of the ex-Secretary of State, that there was a large saving in 1878 over 1874. I repeat, that when a work is completed, and the expenditure entirely ceases, it is no evidence of economy in the sense intended by my hon. friend from Saugeen, and as we all understand it. I do not propose to detain the House by entering into the details of services in which there has been unquestionably a large increase of expenditure,

but a good deal has been said respecting the enormous expenditure on immigration during the past five years, and I desire to say that the hon. Senator from Amherst deserves the thanks of this House, and of the country, for having brought to the notice of Parliament the extravagant expenditure that was being incurred on the other side of the Atlantic, without any practical benefit to the Dominion, and, forcing from the late Government a reduction of expense. During the past five years we have expended $1,250,000 in bringing people to Canada, at a time when there was a great depression in trade, and while our great North-West has been almost inaccessible, and they have passed over to the United States. We have expended our millions pumping water into a broken cistern—as fast as we pumped it in, it leaked out—and we made no progress, and until the leak is stopped, we should diminish our expenditure. The ex-Minister of Agriculture, in stating the number of immigrants that have been brought in by the Department, takes credit for all who came in voluntarily, or not influenced by government agents, and at government expense.

Hon. Mr. PELLETIER—I did not say a word about the number of immigrants that came in.

Hon. Mr. McLELAN—When I turn to the reports, I find that the whole expenditure, ranging from two to three hundred thousand dollars, is credited with all who entered the Dominion from whatever cause. In the last year the expenditure was $180,000 in bringing in from Europe about 8,000 immigrants, many of whom passed over to the United States, whilst, by the same returns, there are reported 20,000 persons as entering the Dominion free of cost to the Government. How many remained in either case as settlers is not known, but until the cistern is, under some policy, rendered nearer water-tight, it would be wise to reduce the expenditure on the other side of the Atlantic, and content ourselves with the scheme proposed by my hon. friend from Saugeen, to make the agents of the different steamship lines the agents for disseminating such information as may be necessary as to the resources of this country.

Hon. Mr. DICKEY—Hear, hear.

Hon. Mr. McLELAN—I find that there has been an average of $14,000 a year for the past five years for printing pamphlets and other papers containing information about Canada. If it be necessary to continue even that expenditure it is a small amount compared with the whole expenditure we have had. With regard to the Post Office expenditure to which my hon. friend, (Mr. Macpherson), has called attention, it strikes me that hon. gentlemen have wandered away from the point to which he has alluded—that the expenditure in eight cities had very largely increased during the past few years, and, as he claims, unnecessarily increased. An increase in the number of letters and papers handled in the city offices does not account for a very large increase of expenditure, because a certain number of hands have to be employed for night and day work, and it is a question whether these men shall be occupied their full time, or whether they should be comparatively idle. Their salaries have to be paid, at any rate. Taking the Post Office generally, it is evident that public opinion in this country is in favor of a liberal expenditure to facilitate the cheap and rapid dissemination of mail matter, and if there is any one service which they are willing to tax themselves for more than another, it is the postal service. But, while they are willing that there should be a liberal expenditure for this, no man will will say that the country would justify an extravagant and wilful waste of the public funds for it, and if, in eight cities, or in four, or in one city, there has been an extravagant expenditure, it is unjustifiable, and the country will condemn it. It seems to me, with all the improvements that have been claimed—increased mileage on post routes, and increase of mail matter—the deficit has grown beyond what it should have been. In 1874 the revenue of the Post Office met its expenses within $219,000. In 1878 there was a deficiency of $490,000. Some hon. gentlemen have claimed that this increase has been caused by the additional mail accommodation. If you take the whole of the old provinces, you will find that there has been an actual decrease of mail route. The old Provinces of Ontario and Quebec have an increase

of 225 miles. The Province of New Brunswick shows a decrease of 154 miles; the Province of Nova Scotia shows a decrease of 129 miles; Prince Edward Island a decrease of 254 miles, and British Columbia a decrease of 234 miles,—making a total decrease in those provinces of 771 miles of mail route. But hon. gentlemen seem to lay great stress on the fact that there has been an increase of mileage travelled—that it has increased to something like 15,000,000 miles. This is easily accounted for. The opening up of so many railways in places where, in 1874, there was no railway communication, has enabled the Post Office Department to send two or three mails a day, where it used to be only daily, or tri-weekly; every time a mail passed over these roads it was added up, and accounts for this increased mileage, which should not perceptibly increase the cost of the work performed, so that this increase in mileage, and a reasonable increase in mail matter, cannot in any way account for the enormous increase in the Post Office expenditure, increasing the deficiency from $219,000 in 1874, to nearly half a million dollars in 1878.

Hon. Mr. DICKEY—My hon. friend the ex-Minister of Agriculture has stated that I have made a mistake in quoting from the report the expenditure of 1873, as being $134,000. It is evidently a misprint in the report of the debates. What I did state was that the expenditure was $304,000, but that there should be deducted from that, $70,000 which was voted to the provinces to aid in immigration, but which was dropped the following year, thus making the amount actually expended $234,000. Therefore my hon. friend has himself made a mistake of $70,000 in quoting the expenditure as $304,000 the last year of the former Government. In the expenditure for the year 1876, my hon. friend corrects me again, and states that the expenditure was reduced to $280,000 less $46,000 advanced to the Mennonites. But the hon. gentleman has fallen into an error himself. If he will look at the report of the expenditure for that year, he will find that the amount deducted was only $20,719. Here was a mistake on the part of my hon. friend of $26,000, as he will see by referring to page 35 of the report of the Minister of Agriculture. To balance the account properly, I must give him credit for a mistake he has made against himself, that is in the expenditure of last year. He states it was $172,044 for immigration alone, and that quarantine is a separate item. But my hon. friend is entirely mistaken; because I see by the Public Accounts, the expenditure of his Government was only $154,351 on immigration; the addition of $26,340 for quarantine, made it $180,691 for that year. That was the total expenditure, and my hon. friend has fallen into an error of some $18,000. While upon that subject, I would mention, that it was stated by the late Secretary of State, when some comparison was made the other day that the expenditure must be so and so, because the Government had placed such an amount in the Estimates. I wish to call his attention, and the attention of his late colleagues, to the fact that the Estimates of his Government for last year for immigration and quarantine were no less than $230,370, whereas their expenditure was only $180,000, showing an excess in their estimates over expenditure of $50,000. I can only hope that the expenditure of the present Government will be that much less than their estimates on the same item for the coming year.

Hon. Mr. PELLETIER—I remember having mentioned yesterday that it must have been a typographical error. I said then that $134,000 was not the correct sum, but that it should have been $304,000. When I said that, I had the report of the Minister of Agriculture before me, and it mentioned $304,000 as the expenditure of the year 1873; but there is a separate sheet which corrects those figures. I had not that sheet before me, so that I was strictly correct when I said that $304,000 was the sum mentioned in the report of the Minister of Agriculture. About the sum advanced in 1876 the hon. gentleman is mistaken. I was quite right in saying that the amount of it was $46,000—$20,000 to the Mennonites and $26,000 to the Icelanders. The sum which I mentioned as the expenditure in 1878 was $177,000, not $172,000; the error occurred in the printing of the report.

Hon. Mr. McLELAN—I see that the Mennonites repaid $9,000 last year, so

that the actual expenditure was not $177,000, but $186,000.

Hon. Mr. MACPHERSON—The debate which arose upon my notice, has extended to a very much greater length than I anticipated. I am not sorry, however, that it has taken so wide a range. On the contrary, I am glad that it has done so, because I think the growing expenditure of this country cannot be too often submitted to the people. I have had on several occasions brought this subject before the Senate, and I have found it exceedingly difficult,—indeed impossible—to please the gentlemen who now sit on this side of the House, and who were members of the late Administration. The first occasion when I brought the finances of the country before the Senate, was, when speaking on the Supply Bill, on the last day of the session three years ago. I was then accused of having taken the Government by surprise—of having made representations which could not be satisfactorily answered for want of time, and the changes were rung upon that by their press throughout the length and breadth of the Dominion. Well, gentlemen, they never refuted any of the statements made in that first speech of mine upon the financial question. The next statement I submitted to the House was in the following year, very early in the session, so that I might not be open to the charge, which I felt was not altogether without ground. At the same time I was not to blame for bringing it up so late. We have not many opportunities, unless we make them, in this House, for discussing financial subjects. I thought then, and I think still, that the proper time to discuss the question was that of which I availed myself on the occasion of the Supply Bill being before this House. But I felt that it was open to the objections which Ministers urged at the time —that they had not an opportunity to reply. In the next session, I was determined that my motion should not be open to that objection, and I brought it up very early in the session. Then there was some difficulty in embodying in my motion all that I intended to bring before the House, and I was then groundlessly accused of having taken the members of the Government by surprise. I gave them a second opportunity during that session, and then it was said that the question was too large to be discussed in the Senate although they had had ample time, although I had told them privately that I intended to go into the question, and expected them to be prepared to defend themselves, and told their friends so also. Notwithstanding that, they were unable to meet my statements with more than a general denial. They never succeeded in refuting any one of the financial statements which I made on the floor of this House. Inasmuch as the late Government complained of the magnitude of the question when I first presented it in that form, I thought I would this session so limit the scope of my motice, and confine it to two or three departments. I told both of the hon. gentlemen who were members of the late Government, and who have seats in this House, that the subjects I intended to bring before the House, were the Contingencies, Customs, and Post Office. The ex-Secretary of State said that he did not understand me to name the Post Office, but I have a very distinct recollection of having done so, and I stated that probably I might notice the Excise, but that it was doubtful. In replying, the Ex-Secretary of State said that the question as presented was too narrow, that I had submitted it to this House in a narrow form—and that it was unstatesmanlike. It must excite a smile to hear a member of the late Government speak of statesmanship. One may look in vain for a trace of statesmanship in the record of the late Government. I found it impossible to please the members of the late Government when they were in power, or now that they are out of it, so that I must just submit this question when I see fit, in such shape and in such proportions as I believe to be in the public interest. When I presented the whole question, I pointed to what I believed to be general extravagance and waste. When I presented but a few items some days ago, I pointed to where I thought I had discovered evidences of special departmental extravagance. I did that for the purpose of showing where the late Government had been wasteful, and calling the attention of my hon. friends opposite to it, so that the present Government might, so far as in their power lay, remedy the evil which I complained of. I am sorry that the ex-Secretary of State is not in his place, because I must direct some

portion of my reply to his observations, and as I shall not have another opportunity, I must do it now, even though he is absent. It has been said, as was observed by my hon. friend beside me, me, Mr. McLelan, that it is not British fair play to strike men who are down. Well, the rules of the prize ring do not apply to public affairs. Administrations go down because of mal-administration in some form or other. The late Government went down because, in the opinion of the people of this country, their mal-administration was extreme and palpable. I think it is due to the people to present to them, when we discover it, the evidence of the soundness of the judgment which governed them in coming to the decision at which they arrived on the 17th of September last; and that we should point it out to those gentlemen who are said to be down—or as my hon. friend, the ex-Minister of Agriculture said, with great humility and a sigh of regret, "the Government that is no more." I have no doubt my hon. friend expects political resurrection.

Hon. Mr. PELLETIER—That may come.

Hon. Mr, MACPHERSON—I believe it would be for the interests of the country that that event should be postponed as long as possible—that it should certainly not come within the next ten years, and for that reason I intend, as opportunities present themselves, to do, as I believe it to be my duty to do, show wherein they have erred. The ex-Secretary of State has declared himself to be in favor of economy. It is very unfortunate that the taste did not develop itself in the hon. gentleman when he had the power to introduce and enforce economy; for if the the record of the Administrations of which he has been a member, whether in the Dominion or in Ontario, are traced, I think you will find no evidence of economy. While I presented but two or three items of expenditure to the House, the ex-Secretary of State made a speech upon the public finances generally. That gentleman's speech has been very fully and ably answered by the hon. Senator from Londonderry, who has spoken to it. It has been answered also by other hon. friends, so that I do not feel called upon to make a general reply. The only point of the general question to which I will allude, is that relating to the appointments made immediately after the late change of Government. When the ex-Secretary of State was speaking the other day, he named a large number of appointments which had been made by the retiring Government in 1873. I said that most, or many of them, were for Prince Edward Island, which had just entered the union. He replied, "not many." I find by a return to Parliament of 9th April, 1877, that up to that date 214 appointments had been made by the late Government, many in the Customs Department for that Island, and that these were, with few exceptions, made to fill up vacancies of officers whom they dismissed on coming into office. Now, the other items of expenditure which I presented to the House were the Contingencies, Customs and Post Office. I do not require to tell the House that none of the speakers who took the other side in the debate, touched any one of those cases. Though, speaking generally, they indulged in a good deal of attack upon myself, but that did not answer one of my statements. Indeed, with respect to the Contingencies, the ex-secretary of State, and the ex-Minister of Agriculture, both admitted the charge which I made. They confessed that the law had been systematically violated by the late Government from the day they succeeded to office, until the day they left it—that they had paid a large number of extra clerks out of the Contingencies, when the law declared that no extra clerks should be employed, or paid out of that fund for more than one month. The hon. gentlemen were candid enough to admit that they had disregarded that law completely. In consequence of that, the amount paid to extra clerks out of Contingencies (running up from a little over $4,500 in 1873 to some $35,000 in 1878,) the contingencies of the House of Commons, which are as much under the control of the Government as the Contingencies of the Departments, were $90,000 in 1874-5, and $140,000 in 1877-8. Knowing the power of the Government in such matters, it was quite possible for them to transfer extra clerks from their Departments to the House of Commons during the session, and in that way diminish the expenditure in their own Departments.

I don't say that the late Government did that, but the expenditures from Contingencies while they were in office, were very high. It will be admitted that I have proved all that I alleged with respect to the Contingencies. I submit that it was substantially admitted by the Government. The next item of expenditure that I come to is the Customs, and I shall say but a very few words about it. I referred to the fact that at the Port of Montreal, between 1873 and 1878, the revenue had diminished $1,192,717, while the cost of collecting the diminished revenue was increased $26,578. I showed that the total decrease in the Customs revenue for the Dominion in 1878 compared with 1875 was $2,568,187, and that the increased expenditure in that period was $68,428. Now, honorable gentlemen will remember that I admitted it would be difficult, and that I would not expect that the expenditure of such Departments as the Customs would be reduced in consequence of the revenue declining for one or two years. But I say that there can have been no necessity in the public interest to increase the expenditure while the revenue was declining. That was my position, and I think it must have been well understood by the House and by the ex-Secretary of State, yet he made no defence. I believe it to be utterly indefensible, and that the expenditure is evidence of extravagance. In that Department, furthermore, I believe that extravagance is due to political influence. The hon. gentleman said that the words "ward politicians" should not be used on the floor of this House; that we should be above knowing of the existence, I suppose, of such individuals. We were, also, not to use the word "corruption." According to the ex-Secretary of State, the offence is not in being under the influence of ward politicians, or committing acts of corruption, but in using these objectionable words in this House. I do not agree with the hon. gentleman, and I think that as long as there is a well-founded suspicion that ward politicians wield an undue influence, which can only be called corrupt, we must denounce it, and show to the people why we think it exists. One of my reasons for believing that it existed under the late Government is that, while the revenue from 1875 to 1878 declined more than $2,500,000, the cost of collecting it actually increased. I regard that as evidence of waste, and what is wasteful under such circumstances is almost necessarily corrupt. The ex-Secretary of State was indignant at the suggestion that supernumeraries were employed in some of the outside departments of the public service. I have been informed that politicians have gone to officers in charge of such departments, and urged the employment of their dependents, and, when told that there was no opening and no work for them, those politicians have telegraphed to the Government and had instructions sent to the officer in charge to employ, or, at all events, to put the applicants on the pay roll. I now come to the Post Office. I have either been very much misunderstood or very much misrepresented in what I said upon that subject. I remember very distinctly saying, (and it is so reported in the Debates), that I did not complain of the expenditure in the country districts for the postal service — that I did not consider the increase extravagant. I admitted the just right of the pioneers of the country to reasonable postal accommodation. I did not complain of the salaries or amounts paid to country postmasters. I have just as much sympathy with these hard-worked persons as any gentleman in this House. I am quite sure that my hon. friend from Belleville, (Mr. Flint), who accused me, as I understood him yesterday, of having complained of the expenditure on the postal service in the country parts, misunderstood me. I know very well that he would not intentionally misrepresent me or any other member of this House. If he will take the trouble to read the report of my speech, he will find that I did not complain of the growing expenditure in the rural parts, but of the increased cost of the city offices.

Hon. Mr. FLINT.—I can assure the hon. member that I did not intend to accuse him of saying anything in reference to the country post offices. I was only endeavoring to explain that they were badly paid.

Hon. Mr. MACPHERSON—I thought that the hon. gentleman misunderstood me, but I was careful to confine my com-

plaint to the city offices. The late Secretary of State spoke of the increased mail service and mileage, and gave it to be implied—at least I so understood him—that I had included the outlay for those services in the expenditure which I alleged to have taken place in the city offices. Nothing could have been more unfounded than that. I did not include in the expenditure which I submitted to this House any of the expenditure which is under the General Post Office—neither mail service, inspection service, nor any item of that kind. The expenses under these headings, which I did not include in my statement, were as follow :—

DISTRICT.	INSPECTION.	MAIL SERVICE
London	$8,001.50	$27,411
Ottawa	.4240.00	9,587
Toronto (East) ..	5,958.00	27,203
do (West) ..	7,989.00	15,998
Montreal	7,253.00	31,407
Quebec	6,280.00	15,373

I included none of these, but only the strict expenditure of each city post office, for the receiving, despatching and delivery of mails. I am sorry to say that I have a complaint to make against my hon. friend, the late Minister of Agriculture, of inexactness in his remarks upon the subject of the Post Office. The error he fell into was very serious, and I really do not see how the hon. gentleman can excuse or explain it. I hope he can. He said :

"Of course the hon. gentleman will find a decrease for several years past in the revenue from each of the Post Offices. That is not to be wondered at because of the sale of stamps by agents, but the general revenue of the Department has increased.

"Hon. Mr. MILLER—That is not the practice in the offices in the rural districts.

"Hon. Mr. PELLETIER—I know it is not, but in the large cities, such as Quebec and Montreal, and other cities mentioned by the hon. gentleman, stamps are sold by news agents and others.

"Hon. Mr. MACPHERSON—They get them from the Post Office.

"Hon. Mr. PELLETIER—No; they get them from the Postmaster-General's Department."

When I heard the hon. gentleman, I asked whence comes the revenue that these offices are credited with? They are credited with the amounts which I submitted to this House as being their receipts. If they do not sell stamps, and if all letters are prepaid by stamps, and stamps only, where do they get a revenue? As a matter of fact, the hon. gentleman was entirely wrong, and I was strictly correct in my statement.

Hon. Mr. PELLETIER—I mentioned that in the principal cities, nearly the whole of the stamps are sold by news agents. I still maintain that; and I was informed by the Post Office Department that the receipts from the sale of stamps are credited to the general revenue.

Hon. Mr. MACPHERSON—The hon. gentleman is right and yet very wrong. He is right in saying that the stamps are sold by news agents, but wrong in saying that the post office of the place where they are sold does not get credit for the proceeds.

Hon. Mr. PELLETIER—If I am in error, it is in consequence of incorrect information from the Department.

Hon. Mr. MACPHERSON—I would not impute to the hon. gentleman an intentional mis-statement; it was obviously a mistake. I was informed in the Post Office Department that the business is transacted in the following manner. Take the Montreal Post Office, for instance. The postmaster receives, from the Department, a certain amount of stamps. He sells them to the news agents, who pay the money value into the Bank of Montreal, not to the postmaster, and the Bank sends receipts to the Postmaster General for all these amounts, which are then credited to the local post office. That is the way it is done, and what I stated was strictly correct. The hon. gentleman's contradiction of my statement was entirely erroneous. No attempt has been made to explain the increased expenditure of the city post offices. I shall not name them all again, but I will give the totals once more. In the eight cities named, the increased expenditure in 1878 over 1874 was $93,160; the decrease in net revenue was $108,204. Now, I would ask hon. gentlemen if I was unreasonable in saying that there must be a wasteful expenditure in those offices. Probably I should not have asked the ex-Secretary of State whether he had

not taken a part in crowding the corridors of the Ottawa Post Office. I have not been there to see whether they are crowded or not with individuals, but when I see that the percentage of expenditure to revenue in that office has increased from 39 per cent. in 1874 to 84 per cent. in 1878, what am I not justified in believing? I should be sorry to speak here with undue warmth of the late Government, but I would ask the hon. Senator from Prince Edward Island, (Mr. Haythorne), if what I have stated is not enough to make me speak with warmth? The truth is, I feel very deeply concerned about the enormous, and I believe, unnecessary expenditure of the late Government. I believe they did gross injustice to the people of this country, and when I begin to speak in regard to it, I probably manifest more warmth than on other occasions; and if I do so, I hope the hon. gentleman will make some allowance for me. The amount paid to letter carriers was spoken of as accounting for the increased expenditure. It accounts for only a small portion. The whole increase of wages to letter carriers between 1876 and 1878 was but $15,735. Now, I submit that I have established all that I asserted on the subject of expenditure—unnecessary expenditure, as I believe—in the city post offices, and that is all I intended to condemn in respect to the Post Office Department. I maintain further that I have proved conclusively the whole case that I brought before the House—the expenditures in Contingencies, Customs, and Post Office. I said a few words the other day about having the post office work conducted by contract. I did not go into details upon it, and I do not suppose that the suggestion will be acted upon, but what I meant was this: that the Government should advertise for tenders from persons willing to discharge the duties of postmaster, including the whole service of the office, say, at Montreal; that he would be under the law just as the postmaster is now, that every dollar of money which he collected for stamps, or in any other way, should be deposited on the day he collected it, just as now, and that there should be supervision of him from the General Post Office, just as there is now; but that he would have the employment of his own assistants, and might then do the work as economically as it could be done with efficiency. My reason for suggesting something of this sort, is to relieve the members of the Government of the pressure now brought to bear upon them to employ supernumeraries. The hon. Senator from Prescott seemed to fall into the same misapprehension, as some other hon. gentlemen did, with respect to what I said. He seemed to think that I complained of the Post Office Service generally, and he devoted himself with eloquence—almost with pathos—to the cause of the country postmasters. I repeat that I have just as much sympathy with them as he has, and that I did not complain of their compensation. What I did complain of, was that the expenditure of the Department was made very much larger than it need be, by the outlay in the city post offices. Revenue may not be a just criterion for expenditure; but the amount of work done is a better guide. When hon. gentlemen are criticising statements such as I have submitted to the House, it would be well to take the figures for the identical years, as otherwise comparisons cannot be made. With respect to letters, the hon. gentleman stated, I observed in the report of his speech, that the number in 1875 was 42,000,000. I looked at the returns of 1874, and found that there were of letters of all kinds and post cards, 42,253,600; newspapers, 29,000,000; and parcels, 102,800; making in all, 71,456,400 pieces. In 1878, the number of letters and post cards increased to 53,685,000; the newspapers were 9,943,148; book packets, etc., 9,973,148; and parcels, 107,800, making altogether 68,885,948. So that the amount of work—because that is what it comes to—would appear to have been less in 1878 than in 1874. By comparing, as the hon. gentleman did, (and in a percentage form), two years which I did not compare, and giving only the letters, was, I think, calculated to place the House under a misapprehension on the subject; but, I am sure, it was not so intended by the hon. Senator. Then the hon. gentleman, made a comparison of the percentage of increase in various departments for several years, which had no bearing on what I brought before the House. If the hon. gentleman had recited the multiplication table to us, it would have had as much relevancy to the cases of increased expen-

diture which I submitted. The hon. gentleman, and others who spoke of the increase of expenditure during the time of Sir John Macdonald's former Administration, omitted to mention—as their friends generally do omit to mention, and with great disingenuousness—the state of the revenue at that time. He was entirely silent on the surpluses of $12,000,000 under the former Government of Sir John Macdonald, and he was equally silent on the deficits of $7,000,000 under the Government which the hon. gentleman supported—a Government which will hereafter be known as the Deficit Government. Now, when the hon. gentleman makes comparisons, he should make them fairly and consistently.

Hon. Dr. BROUSE—The hon. gentleman will recollect that it was the expense of working the various departments that he brought under consideration—not the outside general work.

Hon. Mr. MACPHERSON—I shall now allude—and I do so with some pain—to the speech of the hon. Senator from Belleville, (Mr. Read), with whom I have often worked on questions of this kind, and with whom I have always been on most friendly terms. I was therefore surprised when he made what I think was a very unjust attack upon me. The hon. gentleman said that he had been looking into the Public Accounts, and found that the expenditure had decreased. Now, he might have remembered, (for the debate was a prolonged one in which my hon. friend, the leader of the Government, and my hon. friend from Londonderry, took a leading part), that I showed a decreased expenditure charged to the Consolidated Revenue Fund in 1877 over 1876, of $1,810,840. I gave all the items, which I will not take up the time of the House to repeat now; and I showed that there was an increase on the other side of the account of $813,393, including an item improperly placed in suspense. This made an apparent decrease of $942,472. I then showed, as I believe rightly and properly, that really a large portion of this was not in the nature of retrenchment, but that there was an actual increase in the controllable expenditure, of $513,557. The hon. gentleman, (Mr. Read), named many of the same items that I referred to last session. I need not tell the House that unless statements are made from identical premises, and carried out identically, they will, of course, differ in amount. The general financial statements which I submitted to the House in past sessions, and to the country, were what I believed to be fair and honest comparisons of the expenditure for certain years. I showed whence I drew the items, and I purposely made it so plain that if there were any errors in my statements, they could be detected at once, as I did not wish that error should stand over my name, and I have never knowingly allowed it. I selected the periods which I thought most fairly illustrated the policy and course of the late Administration. The members of that Government had the very best opportunities—very much better than the hon. Senator for Belleville, or any other gentlemen outside of the Finance office can have—to ascertain whether I had been inaccurate or not. They had all the talent of the Finance and Audit offices at their command, and, I have no doubt, employed them to detect error, if error could be found in my statements. Every item in them was taken directly from the Public Accounts, or deduced from what is to be found in the Public Accounts; and no one of the statements was ever refuted. I repeat that it caused me surprise and pain to find my old friend, moved by some influence that I have no knowledge of, make an unfair and unjust attack upon me, and I am sure that the time will come when the hon. gentleman will see that he did me great injustice, and will regret having done so. I must thank the friends who stood by me in this debate, wherein the gentlemen on the other side ignored the matter which I submitted to the House and devoted much of their speeches to myself. I am not disposed to complain of that, but, at the same time, I thank those who stood manfully by me, and I hope they have the satisfaction of feeling this afternoon that I have sustained all that I presented to this House, and proved all that I pretended I could prove. The only other speech to which I shall allude is that of the hon. gentleman from Woodstock. He certainly appeared in a new *role*. All I shall say to the hon. gentleman is that I think his old friends and constituents in the counties of Oxford

and Waterloo will be very much surprised to see that he ridicules economy; that when such instances of extravagance as I have submitted are presented to the House, he should treat them only with ridicule. I think the industrious, hard-working men who were his constituents will also be astonished to learn that he should have complained that the merchants of Ottawa were not supplied, at the public expense, with newspapers containing the Senate Debates. The men of Oxford and Waterloo will be of opinion that the merchants of Ottawa should do what they do themselves—pay for their newspapers out of their own pockets. I think the friends of the hon. gentleman will be very much amazed at his attack upon me for my economy, and those of them who are not amazed will be amused.

Hon. Mr. READ—While possibly we may not have made the calculations from the same standpoint, I am proud to say that the hon. Senator has not tried to refute one of the statements I made. Since the hon. gentleman rose to speak to-day, I have looked into the expenditures in the city post offices, and I find that the increase last year was only three per cent. in all of those offices. The hon. gentleman, in his remarks to-day, said there was a less number of newspapers and mail matter carried in 1878 than in 1874. He has fallen into a trap. The difference is that they were carried by the pound last year, and by the count in 1874. That accounts for the discrepancy. The hon. gentleman has always maintained that we can differ in opinion here without any feeling. I can assure him that I have not the slightest feeling in the matter, but I have chosen to examine the Public Accounts for myself, and present my conclusions to the House as clearly as I could, and that I had a right to do. I repeat that I had not the slightest feeling, but I thought that this thing was running a little too far—that I could not find the wasteful extravagance which the hon. gentleman has been charging the late Government with, and that it was my duty, as a humble member of this House to say so.

Hon. Mr. ALEXANDER rose to make an explanation. He desired to express his regret that he had been obliged to reply to the hon. Senator who introduced this motion in the terms and in the spirit, of which some hon. members complained. There were different objectionable features in the introduction of this question. It was not a fair course towards the present Government, and a portion of the hon. gentleman's remarks were of so partizan a leaning that, in the interests of the Senate, which they were desirous should preserve its non-partizan character, he, (Mr. Alexander), and others, were driven to remonstrate against such sentiments emanating from any member of that body. But he rose also under great provocation—under repeated provocation—under provocation which became unbearable! He was obliged to prefer a grave charge against the hon. gentleman, as Chairman of the Committee appointed to secure a proper report of the Debates. There appeared to be some great power, somewhere, determined that the general utterances of the Senate should not go to the country. Every effort which he, (Mr. Alexander), and others had made to secure this object, so dear to the people, had been utterly defeated. The House knew how, only after an appeal on this floor, they had wrung out of the hon. gentleman an order to send one copy of the Senate Debates to each member of the Commons. It was surely monstrous that the Chairman of a Senate Committee should object to such a reasonable proposal. What was the great object and purpose of a second Chamber, but to aid by free and full discussion, in securing, wise and able administration? And the hon. gentleman would not surely use his powerful influence to prevent those discussions going to the people, who are taxed to the extent of $140,000 annually for the expense of the Senate. He (Mr. Alexander) did not know whether it was from contracted views—from a cheese paring economy, or for some certain purpose—but the Debates of this Chamber did not reach the people, although they spent so large an amount annually to accomplish that object. It would be derogatory to the character of the Senate, to enter too much into details of this vexed and irritating question, suffice it to say, that the great usefulness of the Senate was much impaired by the peculiar ideas or views of the hon. Senator from Toronto. He, (Mr. Alexander), had only to say in conclusion that if at any

time the House expressed itself, that he (Mr. Alexander) had erred in judgment in any remarks which had fallen from him, he trusted, that he would never be wanting in shewing that proper respect for the House, to make a proper apology for the same. He, (Mr. Alexander), desired to avail himself of the present occasion to say that, in once observing that the hon. Senator from Richmond had displayed great dramatic genius and power on the floor of the House. He (Mr. Alexander) now desired to add that when that hon. gentleman displayed such power, it was always to strike at some growing evil, or to accomplish some good.

Hon. Mr. MACPHERSON—I am perfectly unconscious of having given the hon. gentleman any cause of offence. The truth is, the hon. gentleman and myself were on intimate terms, and I may not always have distinguished between what he meant for banter and serious matter. He may in the same way have misconstrued my meaning at times. As to wounding his feelings in any way, I can assure him and this House that nothing could have been further from my intention, and I may add that when the hon. gentleman asked me if I had any objection to his bringing the matter of distributing the Debates before the House, I said, "of course every member has a right to do that." I suggested, myself, or, at all events, concurred in his suggestion, if I did not propose it, that the matter should be referred to the Committee on the Debates. I called the Committee together, and asked him specially to attend. The Committee met, but he did not make his appearance, and we ordered that a copy of the *Free Press* containing the reports of our Debates should be sent to each member of the House of Commons.

Hon. Mr. ALEXANDER—I am glad that the hon. gentleman has made this explanation, and I am sure that the House will acquit me of having desired, in the course of this debate, to make remarks offensive to any member of this Chamber.

Hon. Mr. DICKEY—It is due to the hon. Senator for Saugeen to say that I am cognizant of the facts which he has stated. I was summoned to that meeting and I know that the Chairman, (Mr. Macpherson), was the first to propose that these papers should be sent to the House of Commons, and that the resolution was passed.

Hon. Mr. CAMPBELL—I have a statement to make in reply to the hon. gentleman's question, and I, therefore, move that the debate be adjourned until Monday next.

The motion was agreed to.

The House adjourned at 6 o'clock.

THE SENATE.

Monday, April 7th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

MAIL SERVICE TO SOUTH AMERICA

INQUIRY.

Hon. Mr. RYAN enquired:

Whether it is under the consideration or it is the intention of Government to encourage, by way of subsidy or otherwise, the establishment of a line of Steamers between Canada and any port or ports in the West Indies or in Brazil, or elsewhere in South America?

If so, what port or ports will be used and what number and class of vessels will be employed?

What will be the subsidy or nature of encouragement on the part of the Government of Canada, and what aid will any other Country or Countries participating in the advantages of the service be disposed to contribute.

He said: This question is on a subject which has been to me of great interest. It will be in the recollection of the hon. gentlemen in this House that in 1866 a report was presented from a Commission which had been appointed to visit the West Indies, and it will also be remembered, (or perhaps, it has gone out of the recollection of gentlemen who have not read the report very carefully or paid much attention to the subject), that the chief recommendation of the Commissioners at that date was that postal communi-

cation be established with the West Indies and Brazil, to which they had been sent to enquire what were the prospects of opening up a trade between those countries and Canada. The recommendations of their report, I am sorry to say, were not carried out by the Government of the day, but I have lately learned that the subsidizing of a postal and commercial steam service in that direction has been mooted—in fact, beyond the West Indies, to Brazil. The object of my question is to ascertain the facts of the case, and whether there is any probability of such a service being established. I think it is well that it should thus be brought before the public notice before any final action is taken, in order that, before any subsidy is granted, our own shipbuilders may have an opportunity of tendering for the contract for supplying vessels to carry those mails and securing any other advantages which may be derived from it. I hope that the Government, if they contemplate anything of that sort, will give timely publicity to what their project will be, so that it will enable our shipowners, more particularly those of the Maritime Provinces, to have the advantage of tendering and that we may see a Canadian line established under the subsidy that may be given. As I do not at all intend to bring on a debate on a mere question, I will confine my remarks to what I have said. I should also like to know, in case the Government intend to give a subsidy for the establishment of a line of steamers to the West Indies, or to Brazil, what route the vessels are likely to take. It is important that this should be known, and also whether the West Indies could not be included in the service, as some of the Islands are almost in the direct line to Brazil.

Hon. Mr. ALEXANDER—Would the hon. gentleman be good enough to state more fully what, in his opinion, have been the commercial results of the Commission which visited the West Indies in 1871? The hon. gentleman, who is so well qualified by his large commercial experience and ability to deal with such questions, was a member of that Commission; and I think it would be interesting to the House and to the country if he would state more fully what have been the commercial results of that very important mission.

Hon. Mr. RYAN—I am afraid that my hon. friend wishes to lead me into what I just now thought it proper to deprecate and avoid—a general debate upon a mere question of this sort. The commission did not visit the West Indies in 1871, but in 1866, and if my hon. friend wishes to read the report for himself he will find it in the Sessional Papers, No. 43, A. 1866, 29-30 Vic. I have great pleasure in referring him to this book, as to the results of the Commission, he will find them in the reports on trade and comerce. As I cannot now detail the matter in debate, I may say generally that I believe the results to have been considerable.

Hon. Mr. CAMPBELL—In answer to my hon. friend's inquiry, I beg to say that it is the intention of the Government to encourage, by way of subsidy, the establishment of a line of steamers between Canada and the West Indies and Brazil. A negotiation has been going on for some time between the Government of the Empire of Brazil and the Government of Canada on that subject, resulting in an offer on our part, to grant a subsidy of $50,000 per annum for the encouragement of such a line of steamers, if one can be put on the route. We are led to believe, though it is not absolutely certain, that the Government of Brazil are willing to give a similar sum, and that, for this subsidy, the line can be established. We have had no decisive reply from the Government of Brazil, but we are led to believe, as I have said, that they will grant the subsidy which I have mentioned. Nothing has been definitely fixed about the port in the West Indies, but the intention is that the vessels of the line shall call at St. Thomas, and that the port in Brazil shall be Rio Janeiro. It has been stated that if such a line were subsidized, another line would start from Rio Janeiro, and continue the service down to the Plate; the port in Canada that would be used, would be Halifax, so that the ships, so far as we now know—the arrangements not being completed—would run from Halifax to St. Thomas, and thence to Rio Janeiro.

Hon. Mr. RYAN—What class of ships will be employed?

Hon. Mr. CAMPBELL—We hope that Canadian ships will be used.

Hon. Mr. RYAN—Hear, hear!

Hon. Mr. CAMPBELL—We should endeavor to arrrange so that the putting of vessels upon the route should be done by us, rather than by the Government of Brazil, and perhaps it would be more easy for us than for them to do it. If it should rest with us to furnish the vessels, it would give us an opportunity to encourage our own shipping interest.

Hon. Mr. MILLER—Will the hon. gentleman state the number of vessels which it is contemplated to employ in this service, and the number of trips that it is expected will be made in the year?

Hon. Mr. CAMPBELL—It is contemplated to establish a monthly service, but I do not know how many vessels it would take to perform that service.

Hon. Mr. DICKEY—Is the subsidy to be contingent upon a similar amount to be given by the Brazilian Government?

Hon. Mr. CAMPBELL—Yes, $50,000 will be given by us and $50,000 by them, and, if possible, we will procure Canadian vessels for the service.

ROUTE OF THE PACIFIC RAILWAY.

INQUIRY POSTPONED.

Hon. Mr. GIRARD enquired:

Whether the present Government have decided on any fixed and determined policy respecting the line of the Canadian Pacific Railway from Keewatin westward.

Hon. Mr. CAMPBELL—I was in great hopes to have been able to give my hon. friend an answer to-day, but I must again ask him to defer it, say until Wednesday next, when I hope to be able to give him a definite reply.

The motion was allowed to stand.

POSTMASTERS AND MAIL CONTRACTS.

MOTION FOR A RETURN.

Hon. Mr. MACFARLANE moved:

That an humble Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be transmitted to this House a return giving the names and offices of all Postmasters having contracts with the Postmaster-General, for the performance of any mail service; with the dates and descriptions of their contracts, and the amounts severally paid therefor.

He said: I am not aware whether the practice prevails all over this country of postmasters being public contractors in the service, but I do know some instances of the kind in Nova Scotia. It is a practice which should be discountenanced in the public interest. The only protection that the people have against delays or detentions of the mails, caused by the neglect of the mail carrier, is the postmaster; but if the postmaster is also the contractor for carrying the mails, there is no means of ensuring a proper performance of the service. One or two such cases have come under my own immediate notice. One of them is the postmaster at Amherst. His salary as postmaster is $950; forward allowance, $150; rent, etc., $160, and commission on money orders, etc., $57.08, making in all a salary of $1,317. But, in addition to that, I find that he has the following contracts:—

Tatamagouche and Wentworth Station		..	$440
Wallace Bridge and	do	do ..	290
Head Wallace Bay and	do	do ...	190
Henderson's Settlement and	do	do ..	40
Six Mile Road and Wallace		..	10
			$970

In connection with this, I may state that several of the contracts, to my certain knowledge, were awarded to the postmaster by the late Government, in opposition to the wishes of the people in that section of the country, and without tender, and that the mails have been carried to accommodate him rather than the public. All efforts to obtain redress from the late Government were futile, and I hope that the present Government will pay more attention to the representations of the people in that part of Nova Scotia. The other instance to which I have referred is that of the postmaster at Wallace. His salary is $240 a year, and he receives, besides, $33.49 for commission on money orders—altogether $273.49. He has, in addition, the following contracts:

Malagash and Wallace.....	$130 00
Wallace and Wallace Ridge.....	70 00
Fox Harbor and Wallace.....	8 75
	$208 75

In this case, I know that the postmaster is actually the mail carrier, and that the mails are carried when it suits his convenience. The public are utterly without redress. In the case of the Postmaster at Amherst, he jobs out the carrying of the mails. When complaints are made his report is, of course, very favorable to the contractor. The whole of the mail service in that district is controlled in these two offices.

Hon. Mr. CAMPBELL — But you have a post office inspector.

Hon. Mr. MACFARLANE — In the very instance that I speak of the inspector's attention was called to the inconvenience from which the public suffered, but no redress could be obtained. To show the impropriety of allowing postmasters to hold contracts for carrying the mails, I may mention that I know of one case where a postmaster, who held one of these contracts, threw it up and succeeded, through the Department, in having tenders for a new contract called for. In that case the notices were sent to the postmaster himself to post. He put them up quietly in some private part of his office where nobody but himself could see them. The public heard that there was to be a contract, but could get no information about it, and the postmaster put in his tender quietly and got it on his own terms. Now, this is a very improper practice, and I think it is the duty of the Government to make enquiries concerning these cases. If it is a general practice I think that the attention of the Government ought to be directed to it with a view to remedying the evil in the future.

Hon. Mr. MACPHERSON—I think it will be evident to the House that I have not succeeded in pointing to all that requires remedying in the Post Office Department.

Hon. Mr. MILLER—The hon. Receiver-General has asked, and I think his question is one that is very likely to present itself to the mind of any hon. member who has heard the statement of my hon. friend from Wallace—have you not an Inspector? In Nova Scotia there is a gentleman called the Post Office Inspector, but practically we have none, as the individual who holds that responsible position has outgrown his usefulness. He is an old man, and he is deficient in some of the most important qualifications required for that office. I do not wish to say anything harsh concerning the old gentleman, but I have spoken to several members of Parliament about him, and I find that the opinion generally entertained with regard to that officer is not of the most favorable character. He is a most inefficient person for the situation, and I fear that the mail service of Nova Scotia will not be in a satisfactory condition until a more efficient officer is appointed in his place. There is no question but the irregularity which has been brought to the notice of the Government by the hon. gentleman from Wallace is of a very serious character, and I know of other places, outside of the county of Cumberland, where the same practice prevails. With regard to the mail service, the only protection which the public have as to the proper performance of their duties by mail contractors, is the supervision of the postmaster. It is his duty to see that the contractors perform their duties according to the terms of their contracts, and what can you expect of the vigilance or supervision of the postmaster when it is exercised over himself, he being the contractor. Not only that, but in many cases very unfair advantage can be taken—and it seems has been taken, according to the statement of my hon. friend, (Mr. Macfarlane) —by postmasters who desire to get control of these mail contracts. I have been informed of an instance myself where a postmaster, having been the mail contractor, and having been outbid by a competitor, used every endeavor to make the service doubly onerous to the new contractor, in the hope and with the intention to compel him to throw up his contract, so that he could obtain it himself. This subject has not now been brought to the notice of the Government for the first time. It was brought to the notice of the late Government two or three years ago, by my hon. friend from Cape Breton, (Mr. Bourinot), in consequence of the irregularities that existed in his own county. Now, that it has been brought to the notice of the House again, and, as I understand that the present leader of the House, (Mr. Campbell), is soon to have control of the Post Office Department, I hope he will

turn his attention to this matter, and give Nova Scotia an efficient Post Office Inspector. In the appointment that will be made to that office, I trust political influence will not be allowed to interfere in securing the services of an officer who will be specially qualified to discharge the duties of that important position.

Hon. Mr. KAULBACH—The same feeling has been entertained by other Nova Scotia representatives in this House, although, from my own experience of the Post Office Inspector, I have always found him to be a very active and vigilant officer, who has endeavored to see that the mail service is properly performed. But if the statement of my hon. friend from Wallace is correct, that postmasters are allowed to hold contracts for the conveying of the mails, they occupy an anomalous position, and I do not see how they can exercise proper supervision over the service. In some of the remote districts the postmasters or way officers are obliged to be the mail contractors also, but they are very small matters, and, as the public has been well served, there is nothing to complain of. I think it is the duty of the Government to take notice of this anomaly in the public service.

Hon. Mr. DICKEY—I think that my hon. friend has done the public a service by calling attention to this subject, and I hope the abuse will be corrected. With regard to the Inspector, he has the reputation of being a good sort of fellow, but he may possibly have reached that period in life when it may be in the public interest that he should be superannuated. I would not have risen, but to call attention to a fact as bearing upon the inefficiency of the Inspector. I had occasion to cause an enquiry into a service not more than a hundred miles from Halifax, nor five miles from the Intercolonial Railway, in consequence of the very heavy grievance that was complained of, by the inhabitants, from the action of the late Government. It was referred to the Inspector; that reference took place about three months ago, and to this hour, to my knowledge, no report has been made. I say this advisedly, because I have been in communication with the Department, and I find it impossible to ascertain the result of that enquiry. I have come to the conclusion that there is something very wrong in the Post Office Inspectorship of Nova Scotia. I am afraid, after all, that the protection afforded by the Inspector to the public, is of a rather shadowy nature, for this officer is too much in the habit of receiving suggestions, and his reports are sometimes what the Government expect them to be, rather than what they are. I hope that the next inspector that may be appointed, will be placed in a more independent position; that he will be appointed irrespective of his politics, and that he will be thoroughly competent to perform the duties of his office. I think it is time that the attention of the leader of the House was directed to this matter, and when he resumes his old position, I hope the subject will receive his early consideration.

Hon. Mr. CAMPBELL—The irregularities complained of by the hon. Senator for Wallace is one which deserves the attention of the Department. I don't know from memory how far such irregularities have crept into the general service. I don't suppose it is the rule at all, but I think it may occasionally happen that for want of competition, the carrying of mails may fall into the hands of postmasters where the country is sparsely settled. I will make it my duty to enquire into the matter, and give the hon. gentleman all the information on the subject that the case is susceptible of, and if irregularities have crept in, we will endeavor to remedy them. With reference to the officer to whom allusion has been made, I take it for granted that my hon. friends who have spoken so decidedly in disfavor of that gentleman, understand his position, his duty, and his capabilities. I do not myself know anything of him, but of course I shall be disposed to give great weight to the representations which hon. gentlemen in this House may make with reference to government officers, and their mode of discharging their duties. I will make enquiry with reference to the cases which have been alluded to, and when the papers are brought down, I may be able to make some further reference to the subject.

The motion was agreed to.

THE CAMPBELL DIVORCE CASE

MOTION TO PAY THE EXPENSES OF A WITNESS.

Hon. Mr. REESOR moved:

That the Clerk be authorized to pay the witness, James Keith Gordon, for his necessary travelling expenses, properly incurred by his attendance in obedience to the Order of this House.

He said: I may say in regard to the payment of this witness, that I have consulted with Mr. Todd, the Librarian of Parliament, and he believes that the witness is entitled to be paid by the House. He also referred me to authorities on the subject, and in looking over them, I think that, while the witness is entitled to be paid for his travelling expenses, and expenses incurred here, I think that he cannot claim to be paid for his time. Professional men are usually allowed $4 a day for their time. This witness cannot be allowed it in a case where the petitioner is suing *in forma pauperis.* The general principle is laid down in "Dennison, House of Lords Appeal Cases," as follows:

"By the law of England no man is precluded by mere poverty from maintaining his just right or from obtaining redress of money; and upon sufficient evidence of poverty, and of the reasonableness of his cause, either an appellant or a respondent will, on petition, be allowed by the House to prosecute the appeal *in forma pauperis.*"

Then, in "Marshall's Law of Costs," I find the following:

"But the practice of exempting a pauper from the payment of all costs, has been established for a very long time; and the principle on which it rests is, that it would be a great wrong to compel a person to pay costs who is totally destitute of money; a reason which applies as much to interlocutory as final costs.

"The attorney cannot charge for any matters following under the description of skill and advice, which includes all necessary business, as for performing the requisite documents; but he is entitled to be reimbursed money which he has necessarily expended for the pauper.

"The plaintiff (the attorney), therefore, can recover for the paper and parchment only. The pauper is not even liable where he has recovered a verdict with large damages, to pay the Court fee upon signing judgment; but has a right to have judgment signed without payment.

"As a pauper plaintiff pays no fees to counsel, and is not liable to compensate or reward his attorney, or pay any Court fees, so neither if he recovers judgment in the action, is he entitled to have any thing from the defendant in respect of these matters."

One would reasonably infer that when a witness is summoned to appear in a case of this kind by the House, and had expenses to pay in coming here, returning home, and while staying here, he would be entitled to be reimbursed for the money he has expended. It has been suggested by some hon. gentlemen that if the plaintiff should succeed in obtaining the Bill—in other words, get a verdict—that she might recover costs from the husband, but according to the rule laid down here, she could not do so. It appears to me, therefore, that we are bound to pay the reasonable expenses of the witness, but that he is not entitled to any thing for his time.

Hon. Mr. MILLER—As I started the objection a few days ago, when the hon. gentleman made his motion, I feel called upon now to say a word in support of the position I then assumed, although I have really no desire to place myself unnecessarily in antagonism to the hon. gentleman's contention, and would much prefer that this duty should devolve upon somebody else. I have listened to my hon. friend's quotations, and unreservedly accept the rule as to costs in causes *in forma pauperis* laid down by the authority cited, but I differ entirely from him in the construction he has placed on his quotations, and as to their application to this case. The hon. gentleman does not understand, as a lawyer would, the meaning of the language he has quoted to the House. In the first place, he says that Mr. Todd, the Librarian of Parliament, and an authority on constitutional questions, has given an opinion in favor of this motion. If such is the case, with all respect for Mr. Todd, I beg leave to differ from him, and to re-assert that a witness in any case *in forma pauperis* is not entitled to get his fees from the court. The parliamentary proceeding *in forma pauperis* in divorce cases is copied from the courts of law. It is an old form of proceeding, by which parties, whose poverty disabled them from obtaining justice in the ordinary way in which suitors prosecuted their claims in courts of law, were permitted to do so,

free of all fees of the court. The advantage thus gained is very simple, and should be easily understood. The officers of the court are instructed to do the necessary services for him without charge, and by order of the court, his attorney and counsel are assigned to him to take charge of his case without charge also. That is the rule in the courts of law. The authority to which my hon. friend has referred means this —where a plaintiff who sues *in forma pauperis*, succeeds in the action, he is entitled to recover any disbursements that he may have incurred in the prosecution of his suit. The attorney is not entitled to take anything for his services or skill in the suit, because these have been given to the plaintiff or defendant, free by the order of the court; but if the suitor is compelled in the course of the suit to pay out costs or make legal disbursements for any other purpose, he is entitled to tax those costs against his unsuccessful opponent. The successful party does not tax his costs against the court, when he recovers, but here it is proposed to tax costs against the court. Such a thing as plaintiff or defendant suing *in forma pauperis* going to the court to ask for advances or disbursements for the prosecution of that suit, would be simply an absurdity which would not be thought of a moment. In this case, if Mrs. Campbell recovers against her husband, she will be entitled, not to anything for fees of the court, or for the skill or services of attorney or counsel who have been assigned to her, but witness fees or other disbursements which she has been obliged to make may be taxed against the respondent. Such a thing as taxing costs against the court, under such circumstances, I never heard of before, and I am sure that no lawyer ever heard of such a thing, and yet that is the meaning of the present motion. The petitioner asks by this motion to tax costs against the public exchequer. What would be our position if, when a party comes in here by the favor and grace of the House, and is allowed to sue without obstruction in her way in regard to court fees—if we are to assume the payment, it may be of $1,000, for disbursements to enable her to sue *in forma pauperis*? The thing is so contrary to reason and policy that unless some precedent can be found for it we should not consent to the passing of this resolution. If my hon friend can find any precedent for his motion in the House of Lords, I am willing to withdraw my objection, but we cannot suppose, because this House of its grace remits the fees in this case, that, therefore, it should step in and assume all the obligation of prosecuting the suit and paying out the money of the public for this purpose. If any different procedure has been established in Parliament, acting as a court of divorce, we ought to have a precedent to guide us, but unless we have some precedent for it—unless it appears that Parliament has adopted a rule different from that of the law courts —it will be unreasonable to go in the face of the practice of the courts, on which the practice of Parliament is founded, as we are asked to do by this motion.

Hon. Mr. DICKEY—I have not had an opportunity of looking into the authorities on the subject, and, as this would be a precedent, I would suggest, especially as no injustice can be done by the delay, that the motion be allowed to lie over.

After a brief discussion, a suggestion to postpone the motion till Wednesday was adopted.

SUPERVISION OF PRIVATE LEGISLATION.

MOTION TO APPOINT A COMMITTEE.

Hon. Mr. BELLEROSE moved:

That a Select Committee be appointed to examine and report to this hon. House the best means to be adopted for the purpose of properly supervising private legislation, in order to ascertain whether certain Private Bills coming before this House are within the classes of subjects exclusively assigned to the legislative authority of the Parliament of Canada, by the 91st Section of the British North America Act. The said Committee to be composed of the hon. Messrs. Campbell, Ferrier Allan, Armand, Dickey, Trudel, Miller, Haviland, and the mover.

Hon. Mr. CAMPBELL—I think that this inquiry will probably be a useful one. The subject is one that is constantly a matter of controversy and doubt in this House, and perhaps the inquiries of the committee may result advantageously in the discharge of the public business. I

am very glad to acquiesce in the committee.

The motion was agreed to.

THE DISMISSAL OF THE LIEUTENANT-GOVERNOR OF QUEBEC.

INQUIRY.

Hon. Mr. CHAPAIS — Before the Orders of the Day are called I beg to ask a question of the leader of the Government. In a newspaper this morning I observed the announcement that one of the members of the Government was leaving this city to-day for England, and rumor has it that he is going on business connected with the declaration made last week, in another place by the Premier, concerning the Lieutenant-Governor of Quebec. If this rumor be correct, I beg leave to ask the hon. leader of this House if he is in a position to give us any information on the subject?

Hon. Mr. CAMPBELL—In reply to my hon. friend's question, I beg to say that the rumor is so far correct that Mr. Langevin has been sent on a mission to England, with a view to further there, the view taken by this House and the House of Commons, and by the Government of this country, with reference to the Lieutenant Governor of the Province of Quebec.

THIRD READINGS.

The following bills were read the third time and passed:—

Bill (23) "An Act to incorporate the Gazette Printing Company."

Bill (12) "An Act to authorize the Welland Railway Company to convert their six per cent. debenture bonds into five per cent. debenture stock, and for other purposes."

NAPANEE, TAMWORTH AND QUEBEC RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. VIDAL, in the absence of Hon. Mr. Seymour, moved the second reading of Bill (40) "An Act to incorporate the Napanee, Tamworth and Quebec Railway Company."

Hon. Mr. Campbell.

He said it was an ordinary bill for the construction of a railway which was intended to be a feeder of the Grand Trunk Railway at Napanee. The names of the directors were a guarantee that it was a *boua fide* enterprise. It was proposed to run a railway from Napanee through the Counties of Lennox and Addington, extending north through the County of Renfrew to the Ottawa River, at or near Point Alexander, where it would connect with any railway which might be constructed in the Province of Quebec.

Hon. Mr. MILLER said he would like to know from the hon. gentleman who was in charge of this Bill, whether there was any present prospect of any connection being made between the proposed railway and the railway system of Quebec. This was a new Bill, and they all knew it had been the practice of persons applying for such legislation as this, which was purely of a provincial character, to attach something of this kind to it, to give it the appearance of being a subject for Dominion legislation. Unless his hon. friend could give the House some assurance that the work was to be carried on in different Provinces of the Dominion, the Bill was of a character that it should be referred to the special committee that had just been appointed on the motion of his hon. friend, (Mr. Bellerose), to consider matters of legislation in which there was a conflict of jurisdiction between the Local and Dominion legislatures.

Hon. Mr. VIDAL regretted that he was not in a position to give any definite answer as to the *bona fide* intentions of the persons who were seeking this charter. All that he had before him was what was in the Bill, and the fact that it had passed the House of Commons, where it had undergone a strict scrutiny, and had had several important amendments made to it in Committee.

Hon. Mr. FLINT said that some of the promoters of the Bill had informed him it was their intention to extend the railway into the Province of Quebec. He knew himself that unless they did so, they might as well not have any railway at all, as it would otherwise be of no use. That was the hope they held out to the people, and it was the ground on which they had passed the Bill through the other House.

Hon. Mr. ALLAN considered that the object of the company was to operate in two provinces.

Hon. Mr. MILLER contended that the mere fact of connecting with a railway in Quebec, would not constitute this a subject for Dominion legislation, unless the railway were extended across the line from one province into another.

Hon. Mr. CAMPBELL said, for the purpose of second reading, they should give the promoters of the Bill credit for *bona fides*, and they could enquire into the details in the Committee.

The motion was agreed to.

DOMINION DAY BILL.

THIRD READING.

The order of the day being read:

"Consideration of Bill (H) "An Act to make the first day of July a public holiday by the name of Dominion Day."

Hon. Mr. AIKINS, In the absence of hon. Dr. CARRALL, moved concurrence in the amendments made in Committee of the Whole.

The motion was agreed to.

The Bill was read the third time and passed.

KINGSTON AND PEMBROKE RAILWAY BILL.

THIRD READING.

On the order of the day being read:

"Consideration of Bill (24) "An Act to amend the Act incorporating the Kingston and Pembroke Railway Company, and to extend the time for the completion of the said railway,"

Hon. Mr. HAMILTON, (Kingston), moved concurrence in the amendments made in committee.

The motion was agreed to.

Hon. Mr. HAMILTON begged leave before the Bill was read the third time to move the following amendment:

That the said Bill be further amended as follows:

Page 1, line 8.—Leave out from "authorized" to "to," in line 9.

Page 1, line 19.—After "Company" insert "provided that the power and authority hereby "granted shall not be exercised until the "main line of the said Railway to connect with "the Canada Central Railway is constructed."

The amendment was agreed to, and the Bill was then read the third time and passed.

Hon. Mr. DICKEY said the amendment was thought to be necessary by the promoters of the Bill, in consequence of the inartistic wording of the first clause.

The amendment was agreed to.

The Bill was then read the third time and passed.

BILLS INTRODUCED.

The following bills from the Commons were introduced and read a first time:—

Bill (18) "An Act to amend the Act respecting the Isolated and Farmer's Fire Insurance Company of Canada."

Bill (53) "An Act to amend the Act of Incorporation of the Confederation Life Association."

Bill (7) "An Act to amend the Act Incorporating the Canada Life Assurance Company,"

Bill (52) "An Act respecting the Consolidated Bank of Canada."

PUBLIC EXPENDITURE OF THE DOMINION.

THE DEBATE CONCLUDED.

The Order of the Day having been read:—

Resuming the adjourned debate on the subject introduced by the Hon. Mr. Macpherson in the following words:—

To call attention to the increasing annual expenditure in the Departments of the Public Service, and will enquire if the Government has under consideration a scheme of substantial retrenchment.

Hon. Mr. MACPHERSON—When mentioning the other day, the increased expenditure in the Customs Department in 1878 over 1875, I stated it to have been $68,428 instead of $31,855. The difference was in the expenditure of 1878. Then, with respect to the quantity of newspapers carried in 1878: In the latter year, it was the weight, and not the number of newspapers carried, that is given in the report of the Postmaster General. The change renders it impossible to make a comparison between that branch of the business of the two years. I believe, however, that I was substantially correct inasmuch as the compulsory prepayment of postage on newspapers, under the Act of 1875, diminished the labor in the post office. Before then, the postmasters had to collect the postage on newspapers, and make returns to the Department, whereas now they have simply to deliver them.

Hon. Mr. PENNY—I had intended to say a few words on this motion on Friday, but happened to be out of the House when the hon. gentleman from Saugeen began, and was thus deprived of the opportunity then, and I may, perhaps, extend my remarks a little further to-day than I would have done then. The hon. gentleman has devised a method of bringing up a question, and procuring a lengthy debate upon it. That method has been accepted and has now made a precedent for the business of the House, and I am not going to say anything against it, only this, that if hon. gentlemen on this side of the House shall wish to review the finances, or any other thing of public interest to the country, it must not, hereafter, be alleged that they are not in order. I think myself that in many respects the proceeding is neither a regular nor a desirable one, and although the hon. gentleman did not claim the right to make a reply, and though the House was willing to accede to his request to be allowed to do so, that part of the proceeding will, I think, be found especially inconvenient, particularly when the question raised relates to figures, because, after all, figures may be twisted about like the pieces of glass in a kaleidescope—though they are the same pieces of glass, they present a different appearance each time they are shifted. That is the case with the figures presented by my hon. friend. He says that such an element of the Public Accounts has been swelled very largely. Another gentleman says: "But you are mistaken in this. You will see there is a large reduction, or if not in that item, in something else, which counterbalances it. He replies: "Oh! yes; but last year I told you that that reduction was not to be considered an economy." And so in that way new matter is brought up every time that the hon. gentleman addresses the House and no opportunity is given of answering it. I only want to call attention to this in order that the precedent having been established, it may not be retorted on others who may wish to adopt the same course, that they are out of order. As to figures, however, we know how widely they may be used for different purposes. I ventured to say to an hon. gentleman the other day that I had seen one of the great foundations of Christianity completely upset by figures—Bishop Colenso, by sums, worked just as accurately as these of the hon. gentleman from Saugeen employs—proved the complete falsehood of the books of Moses. That shows what can be done by figures. I, myself lately puzzled a celebrated statistician by showing that the population of a certain celebrated country during a well-known epoch increased at the rate of 36,500 per cent. per annum, and I can establish that, hon. gentleman, to your satisfaction. The place was the Island inhabited by the celebrated Robinson Cruse, the was epoch that twenty-four hours in which a hundred per cent. increase took place in the population by the addition of Friday. This shows that these things require not to be discussed in a debate of this sort, but if discussed at all, should be dealt with in a committee. At least, that is my impression about it. I think that the only way you can discuss a matter of this kind, in such an assembly as this, is by taking the grand totals, and if you do that in this case, there is no doubt about it, that deducting the interest which is not within the control of any Government, the whole expenses of Government have not increased during the period of the late Administration; but have been considerably diminished

Hon. Mr. TRUDEL—They are in figures, are they not?

Hon. Mr. PENNY—Of course they are the total figures; but I mean to say that going into the details, and picking one item after another without having a committee and without going into the reasons why one item should be increased and another diminished, will not answer any intelligent purpose. However, I quite agree with the mover of this resolution, that we are going a great deal too fast in the way of increasing expenditure and getting into debt. But I think if he had taken up this matter in a different spirit with all due deference to him, from that in which he did take it up, he would have commenced with an epoch something earlier than that of the late Ministry. I believe that all our troubles in that respect began with Confederation. The consequences of the union were, besides the political ones, that we entered upon large enterprises, involving enormous expense. We commenced the construction of the Intercolonial Railway, we began the enlargement of all the canals, eventually we had to pay for the Prince Edward Island Railway and Ferry, and we are making vast expenditures in the North-West, and on the Pacific Railway. Those are very large undertakings for a country like this, if we had done nothing else. But what did we do? We created a number of independent legislatures in the provinces, and these we subsidized, and they have been building railways on their own account all over the country, with the money thus taken from the Consolidated Fund, and borrowing money for the purpose too. If you want to get at the root of our financial trouble, you will find it in that. As to these matters of departmental management, of course I believe that all of them are more expensive than they need be. I think if any of us were individually transacting the same business, we should manage them cheaper than either one Government or the other. That is a matter of course; but I am sure that my hon. friend opposite, (Mr. Campbell), will find it very difficult, whatever statement he may make to day, (and he will, I am sure, make that statement in good faith), to run this Government for much less than twenty-three millions of dollars per annum. I am not going into the details of figures, but there are one or two things which have come under my own notice, and I shall refer to them. The increase in the expenditure in the Custom House of Montreal has been spoken of with much censure by the hon. Senator for Saugeen. Now, it is quite true that there has been an increase of expenditure, and also a decrease in receipts; but when you come to investigate why there has been this increased expenditure, you will find it all, or all but a trifle, in two items. One of these arose from this fact, that the merchants of Montreal, before the late Government came into office, had been accustomed to being charged for all the expenses of taking their goods to and from the examining warehouse, whereas the merchants of no other cities in the Dominion are subject to that annoyance.

Hon. Mr. CAMPBELL—It was the same in the City of Toronto.

Hon. Mr. PENNY—I think only to a very small extent. At all events, it was not common throughout the country. In most cities, if not in all of them, except Montreal, the expense of this examining business was borne by the Custom Houses. Well, the Montreal merchants very naturally objected to being made an exception, and the effect of their representation was that the Custom House assumed that expenditure. Now, that comes, I believe, to about $10,000 a year. There is another expenditure of about the same sum that arose in this manner. Under the bonding system, a very considerable irregularity had occurred. There is no doubt that the Government lost very large sums of money by the loose manner in which this business was carried on. An investigation took place, and a report was made by the Collector of Customs at Quebec, a gentleman who was as competent as any individual to examine into such matters. The effect of that report was that the bonding system was put upon a different footing. It is quite true that it has cost something more. It necessarily did so, and it is quite true that this increase of cost was coincident in time with the falling of the revenue; but *non constat*, the revenue would have fallen off much more had not this step been taken to prevent it. The hon. gentleman cannot tell how much we should have lost, had not this $10,000 been spent to prevent the frauds that had

previously been practiced. I am not quite sure whether the hon. gentleman alluded to the expenses of the Supreme Court, but it was alluded to in the course of the debate, as a reproach to the late Government. Yet we all know that in the other House and, I think, in this House, the leaders of both parties agreed in the propriety of passing the Bill, and, indeed, warmly supported it. The only objection to it was to a single disposition which had no bearing at all on the question of expense. That item figures for a considerable sum in the finances of the country. On the other hand, it effects a much greater saving, and we cannot have our cake and eat it.

Hon. Mr. MACPHERSON—You are borrowing the cake.

Hon. Mr. PENNY—Perhaps we are, but at all events, this is what the hon. gentleman seem to think we might do. I am satisfied that in a very short time the expenses that will be saved in law suits which have hitherto been carried to England will far more than compensate for our outlay. I have had some experience in one case in which I was an interested party. It was a suit against a large corporation, which probably no individual would have dared to bring into Court. We should each of us have had to submit, if there had not been a number of us, because an individual, unless a very rich one, with the knowledge that he would have eventually to go across the Atlantic, would not have ventured the suit. The parties with whom I was acting asked that the final appeal might be made to the Supreme Court at Ottawa. We knew that it could be done here for a comparatively small sum, but the other side insisted that they could get better justice in England. That was a matter of opinion. Why they should have thought so I never could comprehend. The end of it was that instead of costing a few hundred dollars the expense ran up to £2,000. That is one of those things that will be avoided if people have the good sense to come to the Supreme Court here. I think that some remarks which fell from the hon. gentleman, (Mr. Macpherson)—I dare say that they were well intended—have a certain out-look that would have made it better to omit them. He has complained about ward politicians. I do not grumble at the words if they are suitable to the occasion, but I think if the late Government sometimes employed ward politicians, there is a case in his own city—in the Toronto Post Office that he has alluded to so much—in which a gentleman was appointed who, if not a ward politician—

Hon. Mr. MACPHERSON—A member of the press.

Hon. Mr. PENNY—Yes; but whether a ward politician or not,he was appointed for a political purpose, and at a large additional expense to the Department. I also think we have some reason to complain of the manner in which the hon. gentleman has spoken of the "salary grab" or the "indemnity grab."

Hon. Mr. CAMPBELL—I do not think that the hon. gentleman has used that word at all.

Hon. Mr. PENNY—I must have seen it, then, in one of his pamphlets.

Hon. Mr. MACPHERSON—That is quite possible.

Hon. Mr. PENNY—It seems to me that it is a very improper word to use.

Hon. Mr. MACPHERSON—It is not my word. The hon. gentleman will find it is in inverted commas.

Hon. Mr. PENNY—Wherever the word came from, it seems to me that to apply such words to this House is just going about as far as the limits of courtesy will permit. Whether it is a "grab" or not, the hon. gentleman, must, I suppose, have voted for it when the Bill came before this House.

Hon. Mr. MACPHERSON—I never alleged that the salaries of this Parliament were a "salary grab." My allusion was to the Legislature of Ontario.

Hon. Mr. PENNY—I suppose if it is a "grab" there, it is a "grab" here. Whatever it is, I think that it is hardly fair to charge the late Government with the increase.

Hon. Mr. MACPHERSON—I did not do that. What I did with respect to that was to suggest its reduction. I did not blame anyone for passing it. I said that when it was passed it was not considered unreasonable, but that times had changed since then.

Hon. Mr. PENNY—I thought that the hon. gentleman was reproaching us for taking the money.

Hon. Mr. MACPHERSON—I am open to the very same reproach that you are in that matter.

Hon. Mr. PENNY—I am very glad to hear the hon. gentleman say so; and I now hope that the Government will be prepared to state that they will be able to make large reductions, but I confess I do not think that will be possible. I am afraid that if so able an arithmetician as the hon. Senator for Saugeen shall review the financial position at the end of the year, he will find that there will be nothing to boast of in the way of reduction. We know how it is ourselves, and that the probabilities are always rather in the way of increased expenditure than otherwise. At all events we have the estimate of what the Government expect they will want. It has been stated by the hon. gentleman who made this enquiry that estimates go for nothing; that it is only questions of actual expenditure that should be considered. We know that estimates are but estimates. The word implies that they are not accurate statements, and that sometimes there is a variance between them and the actual expenditure. I undertake to say, however, that with the exception of the estimates for public buildings, the estimates will as a rule be rather below than in excess of the expenditures. At all events when the Postmaster-General states, as he does in his report, in opposition to the remarks of my hon. friend, that the Department is in so good a position that he hopes to increase the salaries of postmasters, etc., it shows something more positive as to the intention to increase than any mere estimate. I can only hope that when the hon. leader of the House makes his promised statement it will satisfy the hon. gentleman, and that we should find at the end of the year that he has carried out those good intentions for which the hon. gentleman has given him credit.

Hon. Mr. CAMPBELL — Although good service has undoubtedly been done repeatedly by my hon. friend for Saugeen, in calling attention to the public expenditure of the Dominion in the shape in which he has brought this question, it has, perhaps, been pushed beyond what is convenient by the long debate which has ensued upon it. I think it will be found that the practice which the hon. gentleman is following is, in the House of Lords, confined to very short debate—if it can be called a debate at all. It is more a conversation upon a notice and enquiry than a long debate extending, as this has done, over three or four meetings of the House. If that practice is pursued in the future, it will he found inconvenient, and for my part, I somewhat deprecate its being carried out in the way, and to the length, which this debate has been followed. One of the inconveniences is illustrated by the difficulty which my hon. friend was undoubtedly in as to his right to reply, he very properly commenced his last speech by admitting that he had no such right; at the same time the debate would have been very incomplete and unsatisfactory to him, as well as to those gentlemen whom he answered, if he had not had an opportunity to reply, but a long debate extending over three or four meetings of the House, and at the end of which the House is not asked to take any action, seems to me to be very inconvenient, and pushes the practice of the House of Lords to an extent which hon. gentlemen may hereafter have some cause to regret. I had thought that when I spoke on this question, I would go into the several subjects discussed by my hon. friend at length; that is the question of Contingences, that of expenses of the Customs, and that of the Post Office, and also the question of indemnity to members of Parliament and salaries of Ministers of the Crown. Upon further reflection—and more particularly in the absence of the two hon. gentlemen who represented the late Government in this House—I do not think I will pursue the plan which I had intended, because it would involve a contrast, more or less between the Government of which they were members and the previous Adminis-

tration, and it would seem to be somewhat unfair in their absence to take that course. I do not think that even in their presence it would lead to any satisfactory results, or anything that I should, perhaps, look upon with pleasure hereafter; and, I think, even if they were in the Chamber at this moment I would rather avoid a discussion which would lead to no good result. The real question before the House and the country now is not what they did, but what we are doing, and what we are about to do. As to the question of Contingencies, I would simply say that I have in my hands a statement which exonerates the Government which went out in 1873 from the charge of having acted on the plan of employing clerks for a month and continued them for two or three years. That may have been done in some few cases previous to 1873, but the temporary clerks were made permanent before the year went out. There was no—if I may use the word—systematic violation of the terms of the Civil Service Act. The practice which I admit to have been partially commenced—there were some few cases prior to 1873—was acted upon in a very large way by the late Government, until it became the subject of the animadversions of my hon. friend opposite, and I dare say of other members of the House. Since the present Government have come into power, we have endeavored to put that matter upon its true basis, and the several officers who had been employed in a temporary way have either been made permanent or dismissed, or Orders in Council have been passed, or are being passed, to absorb them into the Departments, or employed them for a specific period, so that the irregularity—not to characterize it by a stronger term—is being redressed. Now, with reference to the other services to which attention has been drawn, I am not able to hold out to the House any strong prospect of being able to reduce the expenditure in the regular services to which attention has been called, but there seems to be in the Custom House a number of persons employed, particularly at the two large ports to which attention has been called—Montreal and Toronto—whose salaries amount in the aggregate to a considerable sum, the services of whom might probably be dispensed with; but I have not been able to pursue the enquiry sufficiently far to enable me to speak of it with certainty. The services of some of those persons who are employed, more particularly in Montreal, may be unnecessary, but that is a matter needing further enquiry. They are principally lockers and policemen. The employment of policemen is a new feature—new at all events within the last two or three years. They are employed for the purpose of watching ships to see that no part of the freight of a vessel which has broken cargo is landed at night. That duty was discharged formerly by putting an officer of the Customs on board. It has been thought better, I suppose, to employ policemen. The lockers have increased also, in consequence of a desire to give a certain number of warehouses specifically to the charge of one official, who shall be responsible for everything that they contain, and that nothing shall go out of them in his absence. In former times no certain persons had charge of any specific warehouses, but any one of a number of officers might be called upon to go at any hour, and give out goods from any warehouse. The change has led to increased expenditure. There is also an increase of expenditure at a number of smaller ports, amounting in the whole to a considerable sum, but no good could come from my troubling the House with the details. With reference to the Post Office Department, the expense, undoubtedly, has grown, but I believe, and I learn from the papers before me, that the accommodation has also grown very considerably. I will just give an instance of it. Formerly, in Montreal, when a mail arrived, it was considered by the post office authorities, as doing their duty very well if it was delivered in the forenoon, but now it is considered necessary to deliver it in thirty or forty minutes after its arrival. That requires additional help.

Hon. Mr. WARK—It is done on the postal cars.

Hon. Mr. CAMPBELL—Part of it only.

Hon. Mr. MACPHERSON—In the face of a declining revenue, is it well to increase the cost?

Hon. Mr. CAMPBELL—I do not know as to that ; the desire for additional accommodation was felt when I was formerly Postmaster - General, and I was anxious to give the cities free delivery. I made enquiry as to the cost, but found it would involve a considerable expenditure, and the Government thought that we could not at that time afford it. The late Government thought that they could, and that it was desirable to go to the expense, and accordingly that sort of convenience has been extended to the public in Montreal, Toronto and other large cities, involving a very considerable outlay in clerks and letter carriers. Whether, as my hon. friend says, we could afford to do so in the face of a declining revenue or not, I cannot say. With reference to the indemnity of members and Ministers' salaries, I must say that the subject has received the most anxious consideration of the Government, but it was held that with the time at our disposal we could not go into the subject with any satisfaction, or with any advantage to the country this session. We had no time for the proper consideration of the subject before the meeting of Parliament this session. The House will remember that after the elections it was some time before the present Administration was formed, that one of its most important members had to go to England ; that there were many other matters which occupied our attention, and amongst them the framing of an important measure involving a complete change in the customs revenue of the country, and it was impossible to give due attention to the question of indemnities, and salaries, and the general reduction, which would probably follow through all the departments if they should be reduced. In reply to the hon. gentleman's question I would say that in several departments a considerable reduction has already been made.

Hon. Mr. MACPHERSON — Hear, hear.

Hon. Mr. CAMPBELL—And that the Government intend during the vacation to give their earnest attention to the subject in the hope that they may be able to reduce the general expenditure ; but at all events that they will give it their earnest and anxious consideration, and they are desirous of endeavoring, so far as they can, to meet the difference which they find existing between the prosperity of the country to-day and the prosperity which we enjoyed some years ago. We hope, at the same time, that the fiscal policy which is being adopted will very much diminish the depression and restore the prosperity of former times, and enable us to deal with this subject with less grave and anxious feeling than we can, situated as we are now. I hope that the House will consider this answer is as satisfactory as can well be given, feeling that it would not be very useful to go into the whole controversy again, and that in the absence of the hon. gentlemen who were members of the late Administration in this House, it would not be quite fair for me to do so.

The house adjourned at 5.05 p. m.

THE SENATE.

Tuesday, April 8th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE PACIFIC RAILWAY COMMITTEE.

THE FIRST REPORT ADOPTED.

Hon. Mr. MACPHERSON presented the following report from the Select Committee appointed to enquire into all matters relating to the survey, location and construction of the Canadian Pacific Railway and Telegraph, west of Lake Superior :—

THE SENATE
COMMITTEE ROOM,
TUESDAY, 8th April, 1879.

The Select Committee appointed "to enquire into all matters relating to the survey, location and construction of the Canadian Pacific Railway and Telegraph, west of Lake Superior, with power to send for persons, papers and records, to take evidence under oath, and report to this House from time to time," beg leave to make the following as their first report: —

Your Committee recommend that the evidence taken from time to time be printed for the use of the members of this House.

All which is respectfully submitted.

D. L. MACPHERSON,
Chairman.

He said that the usual form of such reports was to restrict the distribution of the printed copies to members of the Committee. That had been found inconvenient last session, and, in fact, members of the House had got copies of the evidence, as printed, when they wanted them. The Committee had decided, therefore, to have 100 copies struck off this session, leaving the type standing so that the blue books and journals could be afterward printed from it. He moved the adoption of the report.

The motion was agreed to.

ROUTE OF THE PACIFIC RAILWAY.

INQUIRY.

Hon. Mr. GIRARD enquired:

Whether the present Government have decided on any fixed and determined policy respecting the line of the Canadian Pacific Railway from Keewatin westward.

He said: In asking this question, and limiting it to that portion of the Railway west of Selkirk, I wish it to be understood that I do not want it to be interpreted as indicating that I approve of the "water stretches" policy of the late Government.

Hon. Mr. CAMPBELL—I quite sympathize with the hon. gentleman's anxiety, and am happy to say that I can relieve him by giving the information which he desires. The Government have decided to change the route of the Pacific Railway west of Selkirk, and to pass it south of Lake Manitoba.

Hon. Mr. MACPHERSON—Hear, hear.

Hon. Mr. SUTHERLAND—Is it the intention of the Government to bring the road to Winnipeg?

Hon. Mr. CAMPBELL—I am not able to give my hon. friend an answer precisely upon that point.

Hon. Mr. SUTHERLAND—I understand that an expensive round house is to be built at Selkirk, or in that neighborhood. To my mind it is unnecessary at present, and possibly the Government, on looking into it, may come to the same conclusion, but there is no doubt that something of the kind is requisite at the St. Boniface station. There is no round house at that point, or shelter of any kind for an engine. It is absurd to suppose that locomotives can be run up to Selkirk, a distance of 22 miles, for shelter. In reference to my question respecting the crossing at Winnipeg, I may say that I confidently predict that within two years a bridge will be constructed there by private enterprise, if not otherwise, and it would he well for the Government to consider whether the line should not even yet be deflected from Selkirk, and located where the branch line to connect with Winnipeg will have to be built. I feel that the move which the Government is making is in the right direction, but I must say it is somewhat strange that they follow in the footsteps of the late Government in persistently ignoring Winnipeg in every sense of the word.

Hon. Mr. CAMPBELL—I have no information about the round house, but if my hon. friend will give notice of his question I will enquire into the matter. As I have already stated, I cannot say anything definitely about the road running to Winnipeg.

THE EASTER HOLIDAYS.

MOTION FOR AN ADJOURNMENT.

Hon. Mr. CAMPBELL moved:

That when the House adjourns to-morrow, it do stand adjourned to Wednesday, the sixteenth instant, at eight o'clock in the evening.

He said it had seemed to him, and to his colleague in this House, that it was the duty of the Government, with reference to the adjournment which always took place at Easter, to ask the House to adjourn, and not leave it in the hands of private members, as was the case in casual adjournments. It had often been remarked that the Government should take the responsi-

bility of making such a motion. He hoped that the adjournment would not be inconvenient to senators from the Maritime Provinces. If it would prolong the session for a day he would not ask for it, but it would not affect the public business. There were very few Orders of the Day for to-morrow, and there was nothing very important or likely to call for much attention on the part of the Senate before Wednesday of next week. He would, therefore, ask the House to adopt his motion.

Hon. Mr. MILLER did not rise to oppose the adjournment, but to express his pleasure to observe that the Government had adopted the course which, on former propositions to adjourn, he had always held should be pursued. The Government had assumed the responsibility of this adjournment, and thus created a precedent. With regard to the length of the adjournment, he should have preferred if it had been no longer than was asked for in the other branch of the Legislature—four days. However, he would not oppose the motion since the Government had assumed the responsibility of the adjournment, and had thereby established a precedent which would have to be followed in the future.

Hon. Mr. CAMPBELL said he could not allow himself to assent to the doctrine laid down by the hon. Senator from Richmond ; however, if a question of adjournment should come up again, he would be happy to discuss the point with his hon. friend.

Hon. Mr. WARK asked when the session was likely to end ?

Hon. Mr. CAMPBELL wished very much that he could furnish the information for which the hon. gentleman asked ; but he could only say that the session would not be prolonged by this adjournment.

The motion was agreed to.

"THE CANADA TEMPERANCE ACT" AMENDMENT BILL.

SECOND READING.

Hon. Mr. GIRARD moved the second reading of Bill (J) "An Act to amend the Act known as 'The Canada Temperance Act, 1878,' so far as the same may become applicable to the Province of Manitoba." He explained that the object of the Bill was to enable the people of Manitoba to put the Act in force there. It could not be done now, because the province was not divided into counties like other parts of the Dominion. It was proposed by this Bill to substitute the words "electoral district" for "county," in the application of the Act to Manitoba.

Hon. Mr. SCOTT said that the reasons given for the proposed change were sufficiently cogent to recommend the Bill to the House.

Hon. Mr. AIKINS thought that there could be no objection to the Bill. Those who remembered the debate on the Temperance Act last session, would recollect that the difficulty which had arisen in the application of it to Manitoba, had been suggested, and it was to obviate that difficulty that this amendment was now introduced.

The Bill was read the second time.

BUIDLING SOCIETIES IN ONTARIO BILL.

CONSIDERATION OF AMENDMENTS.

Hon. Mr. ALLAN moved concurrence in the amendments made by the Select Committee on Banking and Commerce to Bill (E) "An Act respecting Building Societies carrying on business in the Province of Ontario." He said that these amendmeuts had been made at the suggestion of the promoters of the Bill, and consisted simply of the addition of certain clauses similar to those which had been introdueed into the London and Canadian Loan and Agency Company's Bill, which had been before this House during the present session, and which, after passing through the House of Commons, had been returned to the Senate. These additions consisted of certain clauses, making provision as to what might be done in case of the transmission of interest in any share or debenture otherwise than by transfer, and what the directors might require to justify that transfer. Provision was also

made in case of the directors having reasonable doubts as to the legality of a claim to any share, indentical with the amendment to the Bill to which he had already referred.

The motion was agreed to.

Hon. Mr. ALLAN moved the third reading of the Bill.

Hon. Mr. HOPE moved in. amendment :—

That all the words after "he" be left out, and the following inserted : "referred back to the said Committee on Banking and Commerce, with instructions to amend the same as follows :—

Page 1, line 1.—Leave out from "Whereas" to "any," in line 39, and insert :

"It is expedient to amend the Act passed in the fortieth year of Her Majesty's Reign, Chapter forty-nine,

"Therefore, Her Majesty, by and with the consent of the Senate and House of Commons of Canada, enacts as follows :—

"1. Section two of the said Act, passed in the fortieth year of Her Majesty's Reign, Chapter forty-nine, is hereby repealed, and the following substituted therefor :—

"2. The amount of money deposits in the hands of any such Society, together with the amount of its debentures issued and remaining unpaid, may be equal to but shall not at any time exceed double the amount of the unimpaired, capitalized, fixed and permanent stock in such Society not liable to be withdrawn therefrom ;"

"Provided always, that the amount held by any Society on deposit shall not exceed the amount of the paid up and unimpaired capital of such Society ;"

"And the said amount of money deposits in the hands of any Society, together with the said amount of its debentures issued and remaining unpaid, shall not at any time exceed the amount of the cash value of the mortgages at such time held by such Society, and that the aggregate amount due to depositors and to debentureholders, together with the paid up capitals of the shareholders, shall not at any time exceed the amount of the said cash value of the mortgages and the other statutory securities of such Society ; "

"And that in estimating the liabilities of any such Society to the public, the amount of cash actually in the hands of such Society or deposited to its credit in any chartered bank shall be deducted therefrom ; and that in estimating the unimpaired, capitalized, fixed and permanent stock of any such Society, the amount of all loans or advances made by it to its shareholders upon the security of their stock shall be deducted therefrom. Provided always, that in the event of any such Society availing itself of the provisions of this Act for the purpose of enlarging its power to borrrow money by debentures, nothing herein contained shall be construed as affecting or in any wise impairing the right of the holder of debentures issued before the passing of this Act by such Society."

He said that the object of the Bill was to remove doubts that might arise as to the meaning of the words, "liabilities of such society," and "total liabilities of such society," where they occurred in the Act 40 Vic., Cap. 49, passed for the purpose of increasing the borrowing powers of building societies, and also to throw around them certain safeguards for their proper working, and for the protection of the public interests. Now, he had never experienced any difficulty in interpreting the meaning of the words "liabilities" or "total liabilities of such society." He had always understood the latter phrase to include the money borrowed by those societies and the capital stock of the shareholders. On the faith of that clause one of the largest societies in Ontario, at all events in Hamilton, sent home to Great Britain and borrowed money on the faith of this construction put upon the Act, and they had no difficulty in understanding it there as he construed it. Those who advanced the money were remarkably well pleased with the security offered by the Act as he construed it in its obvious meaning, and he would just read, for the information of the House, an abstract from the prospectus of one of the largest and most respectable firms of chartered accountants in the city of Glasgow, for the sale of the Hamilton, Provident and Loan Society's debentures. It was as follows :

"The Company is restricted in borrowing to an amount not exceeding twice the paid up capital. The sum of its liabilities to shareholders and lenders must in no case exceed the amount of the mortgages, and, as the mortgages are not in general granted to a greater extent than half the estimated value of the property, the debenture holders, in the most extreme case, have, in point of fact, a security in value three times greater than the amount of their advances."

On the faith of that clause, these gentlemen recommended the debentures as a good investment, and large sums of money were invested on the strength of the interpretation thus put upon it ; and he held that it was *ex post facto* legislation to amend that clause as proposed by the

Bill. The promoter of the Bill contended that it was not an amendment, but an explanation of a doubtful clause. His, (Mr. Hope's), answer to that was to invite them to look at the statement made to the Finance Minister, which embraced the following particulars, viz :—

"Liabilities to shareholders,"

"Liabilities to the public," and

"Total Liabilities."

This showed that the interpretation of the clause, by the Finance Minister, was the same as that which the agents in Glasgow, for the Hamilton Provident and Loan Society, put upon it. Then, it had been held by some gentlemen that, in putting in the word "shareholders," there was a doubt whether or not they had a claim upon the assets of these societies. Such an intrepretation of the Act, or any act, was perfectly absurd. The creditors of the societies must be paid first, and the shareholders would get the balance, but the shareholders could take nothing out of the societies until the creditors were all paid. The interpretation that was put upon the Act by the society to which he had referred, was this: that they should at all times hold mortgages sufficient in amount to cover the borrowed money as well as the capital of the shareholders. By the promoter of the Bill before the House it was contended that there could not, at any time, be sufficient in amount of mortgages to cover the amount due to the public as well as the capital of the shareholders. In reply to that he held that "mortgages" was the generic term for statutory securities, and so long as they held such securities to the required amount they were acting within the scope and meaning of the Act. He asked the promoter of the Bill to define the meaning of the words "principle remaining unpaid on the mortgages." He would place a mortgage for, say $1,500, payable in certain instalments in the hands of each of these hon. gentlemen, and ask them to go into separate rooms and report what each of them made out was due upon such a mortgage at the end of a particular period, and he would venture to assert that no two would agree in the result of their calculations, or rather, of their individual suppositions. In the amendment which he now proposed he sought to give an intelligent definition of the words "principal remaining unpaid on the mortgages." To show the impossibility of fixing anything definite upon the words "principal remaining unpaid on the mortgages" as used in this Act, he would read the following rule of one of our building societies, which might be taken as the rule followed by others :—

"If any borrower shall desire to have his property discharged from a mortgage to the society before the expiration of the full term for which it has been taken, he shall be allowed to do so on payment of all repayments, and any fines, fees and other sums due in respect thereof, up to the time of the redemption of such mortgage, and of the present value of the future repayments calculated to the end of the term, and discounted at such rate of interest, and on such terms as the Directors may determine."

Who could say what the amount of the unpaid mortgages were? How could they come to a conclusion when every society had a right, by the above rule, to suit its own convenience? He wished to amend the Bill in such a way that nobody could misunderstand it. If his amendment should not be accepted, he expected to see the hon. gentleman come down next session, asking for further legislation in the words of the amendment, now sought to be introduced in the Bill for the purpose of defining the meaning of the words of the Act "principal remaining unpaid on the mortgages," and seeking for such legislation on the ground that the people at home could not understand the meaning of these words to be found in the Statute.

Hon. Mr. MILLER asked if the hon. gentleman had been given an opportunity to place his views on this question before the Committee.

Hon. Mr. HOPE said that he had urged the Committee to amend the Bill, but they would not do so, and he had informed them that he would appeal to the House. as he had a right to do. He had never entertained a doubt as to the meaning of the words "total liabilities" as found in the Act. The manager of the Hamilton, Provident and Loan Society had found no difficulty in putting a proper interpretation on the words ; no difficulty had been found in this respect in Gread Britain, but the promoter of this Bill wished it to mean, not what it did mean, but that it should be taken in a

more restricted sense so as to mean only the liabilities to the public. A society in Montreal that failed the other day was reported to have sufficient to pay everybody, but on further enquiry it was found to mean everybody but the shareholders. Lenders like to have a sound paid-up capital, and not to be reduced to the basis merely of the security which their own money afforded. With respect to the Bill itself, he did not like the way in which it was drawn. He thought it was most inconvenient to have Acts interpreting other Acts in the way now proposed, and he would prefer to see the second clause of the Act 40 Vic., Cap. 39, re-constructed altogether as he now proposed to do by his amendment. It would be more satisfactory to the public in Ontario, and also to the people at home who loaned money on debentures. There had been two acts relating to building societies two years ago—one for increasing the borrowing powers of such societies, and the other for altering their names. Then, there was the Act of last session, conferring new powers on those societies. The Bill now before the House was to interpret the meaning of one of those Acts, and tacked on to it were three long sections taken from a Bill of the London and Canadian Loan and Agency Company, which is a Company operating under a charter of its own. Before thrusting this legislation upon the Ontario building societies he thought that copies of the Bill should have been distributed among the societies in Ontario for ample consideration and not be rushed through Parliament in this hurried manner. He should have remarked that the statutory securities referred to in the amendment were municipal debentures, and Dominion and Provincial stocks, which were of too high a class for these societies to invest extensively in. He then moved, seconded by the hon. Mr. Leonard, that the Bill be not now read a third time, but that it be referred back to the Select Committee on Banking and Commerce, with instructions to strike out all the words in the Bill down to the 38th line, and insert the amendment which he had read.

Hon. Mr. LEONARD, as seconder of the motion, thought it was but right he should give some reasons for supporting it. His objection to the Bill before the House, was that it was interfering with the basis on which many building societies in Ontario had borrowed large sums of money in England. He considered that the proposition of his hon. friend from Hamilton was in the right direction, although it was unfortunate that they should be called upon to alter those Acts session after session. When they undertook to alter the basis on which money had been borrowed, it was meddling with legislation in a way that should be regarded with very great suspicion. He regretted that the Committee had not looked into the matter more carefully, and, as the Bill had come before the House in its present shape, he considered it his duty to second his hon. friend's resolution, although it might have no other result than to go on the record of the proceedings. He regretted that hon. gentlemen from Toronto should bring in bills of this kind year after year, and he believed it was time such interference with legislation should be put a stop to. The late Government had passed a general Act respecting loan societies, but hon. gentlemen of the legal profession in Toronto were not content with it, and some of them with big ideas, were constantly asking for changes in one way or another.

Hon. Mr. ALLAN admitted that the hon. gentleman from Hamilton had a perfect right to take the course he was now pursuing in reference to the Bill, although he could not see how it could be attended with any good results. The Bill had been very thoroughly examined and discussed in the Banking Committee. That Committee was composed of gentlemen who were (he thought he might venture to say), the best qualified among the members of the House to deal with all such subjects. The hon. member from Hamilton had raised precisely the same objections which he now urged against the Bill, in that Committee, but they were not considered of sufficient weight to induce the Committee to adopt any one of his amendments, and if the Bill was referred back to them again, he was satisfied that it would be followed by the same results. The fact was, the hon. gentleman found himself placed in an awkward predicament, in consequence of certain representations made in circulars, or statements, put forth in Scotland by parties represent-

ing the company which the hon. gentleman had referred to in his speech, and in which he was interested. These statements were, he (Mr. Allan) ventured to think, scarcely consistent with either the letter or the spirit of the legislative enactments under which such companies were constituted, and as they were generally understood and acted upon by the leading companies in this country. The opinions of the hon. Senator from Hamilton, however, were so very peculiar on many of these points that, if his agents adopted the same views, they would certainly be very different to these presented by the other leading companies to their investors in Great Britain? For instance, the hon. gentleman maintained that the word "mortgages," should be held to include municipal debentures, school debentures, and such securities! Now, in a certain sense, a municipal debenture might be said to be in the nature of a mortgage, as it was secured upon the assessable property of the inhabitants of the municipality, but would any hon. gentleman say, that if a company put forth a statement that its liabilities were all covered by good mortgages secured on real estate, and the fact really was that the liabilities were partly covered by mortgages, partly by debentures, that the statement would be considered a correct one? Again, the hon. gentleman's ideas on the subject of his mortgages were equally singular! In a statement he laid before the committee the other day—in estimating the value of the securities supposed to cover the liabilities of a company—he assumed, that the value of the mortgages was represented not by the actual amount for which they were given, or was due upon them at the time, but by the value of the real estate on which they were secured! Suppose that hon. gentleman owed a man $2,000, who agreed to take an assignment of a mortgage for it, and he handed him over a mortgage for $1,000, secured on a property worth $2,000, would that be satisfactory to his creditor? The hon. gentleman had stated, and had reiterated the statement several times, that in the Bill now before the House a different interpretation was sought to be put on the Act of Parliament, under which the several companies in Ontario had been carrying on business and borrowing money in Great Britain. Now he, (Mr. Allan), entirely denied this. No other interpretation than the one contained in this Bill had ever been put upon it, so far as he, (Mr. Allan), was aware, by any of the leading companies, except, it might be, the one in which the hon. gentleman was interested.

Hon. Mr. HOPE—Why this legislation then?

Hon. Mr. ALLAN said that he would tell the hon. gentleman if he would allow him to go on. For several years past the leading companies in Ontario, such as the Canada Permanent—the oldest and wealthiest of all—the Freehold, with which his hon. friend behind him was connected, the Western Canada and others, had been selling their debentures in Britain under the provisions of the Act recited in the Bill now before the House. That Act provided that the amount of these debentures, and of the money deposits in the hands of any company, might be equal to, but should not exceed, double the amount of the paid up capital of such company, and that the amount held in deposit only, should not exceed the amount of the paid up capital; and that the total liabilities, that is, the debentures and deposits together, should not, at any time, exceed the amount of principal remaining unpaid on the mortgages held by the company at the time. Now, these companies to which he had already referred. The Canada Permanent, the Western Canada, the Freehold and others, had offered their debentures, through their agents, to investors in Great Britain, representing that, under the provisions of the acts of Parliament, by which they were incorporated, these debentures, as well as every shilling of borrowed money, were covered by the amount of principal remaining unpaid on the mortgages held by the Company at the time—in other words, that their investors were secured by first-class mortgages on real estate, in most instances double the value of the amount loaned on it. No other representations had ever been made, and it certainly never was contemplated for a moment by those companies, that the expression "total liabilities" in that part of the Act which referred exclusively to their investments, was ever in-

tended to include their capital stock any more than a bank would include, under that head, its capital stock, or a merchant his own money which he put into his business. He would venture to say that no such interpretation was ever intended by the Legislature. A few month ago, however, a leading Insurance Campany in Britain, having a large amount of money to invest, was desirous of putting it into the debentures of one of these Companies, and, before doing so, submitted the various acts of the Canadian Legislature relating to such companies, to their legal adviser, who gave it as his opinion, that under the wording of the clause already referred to, the liabilities to the stockholders as well as to the public would be held to be included. The solicitors of the Loan Company, an eminent legal firm in Edinburgh, did not consider this opinion a correct one. They did not consider that it was a fair interpretation of the Canadian Act, or that it could ever have been contemplated by it, that the liability to stockholders was to be included, or that any court of law would sanction that view. The matter, however, was too important to admit of any doubt being entertained, and it was considered desirable, therefore, to obtain an amending act, such as the Bill now before the House, declaring what the expression "total liabilities" in the clause of the original Act was intended to include. This was what was sought by the Bill, and without such an amendment, and if the expression "total liabilities" could really be construed to include liabilities to stockholders, it would be seen by any one, who would sit down and work the figures out on paper, that the borrowing power conferred by that Act, would be in a great measure valueless and impracticable. Now, as to the amendment which the hon. gentleman from Hamilton desired to introduce, if the Bill should be sent back to the committee, it seemed to him, (Mr. Allan), that it would be in every way most objectionable, and certainly contrary to the representations on which the various companies had bor rowed their money in Britain. The hon. gentleman's amendment would relieve these companies from the obligation, under which they are at present, to have the whole amount of their borrowed money covered by good mortgages on real estate, and would allow of their being partly covered by mortgages, partly by municipal or school debentures.

Hon. Mr. HOPE—That is not in accordance with the provisions of the amendment I have moved.

Hon. Mr. ALLAN thought that the result he pointed at, would certainly follow.

Hon. Mr. HOPE—The amendment still provides, that borrowed capital should be covered by mortgages.

Hon. Mr. ALLAN had had a great deal of difficulty in following the hon. gentleman in his remarks, but if his amendment did not allow of debentures being included in the securities covering the borrowed money, it must be of a very different character to that which the hon. gentleman pressed so earnestly on the Committee, which the Committee rejected, and which certainly had for its object to allow of other securities besides mortgages being included in the amount required to cover the moneys borrowed by any society. He presumed that the hon. gentleman's object, in moving to have the Bill referred back to the Committee, was to have it amended, in accordance with the views which that hon. gentleman had so earnestly pressed upon the Committee, and from which, he had certainly not understood him to vary now. He (Mr. Allan), might mention, in conclusion, that the first part of the Bill, to which the hon. gentleman from Hamilton so strongly objected, was the exact counterpart of one which had been very carefully framed, had been submitted to most of the leading companies in Ontario, and had been passed by the Ontario Legislature at its last session. As the companies were carrying on business under Dominion acts, as well, it was necessary to come to this Legislature for the present Bill, and notwithstanding the opposition of his hon. friend, he trusted that the Bill would now receive its third reading.

Hon. Mr. ALEXANDER suggested that after what had fallen from his hon. friends from Hamilton and London, it would be far more satisfactory if the leader of the Government should advise the hon. gentleman from Toronto, (Mr.

Allan), to withdraw his Bill. He considered that, having such a large number of building societies in the Dominion, established upon different bases, it was a subject upon which the Government should come down to Parliament with some well matured measure that would apply to them all, and he was glad to see that his hon. friend from London, who was a large shareholder in one of the best managed societies in the Dominion, had urged his objections to this Bill.

Hon. Mr. McMASTER regretted being under the necessity of differing from the views expressed by the hon. gentleman from Hamilton. It might be inferred from what had fallen from that hon. gentleman and his hon. friend from London, that some very sweeping changes were contemplated by the promoters of this Bill, but such was not the case The only change that appeared to be of any moment was this: the debenture holders in Great Britain had an idea that the liabilities to the shareholders ought not to be included when the liabilities of the societies were spoken of—in other words, they considered that the debenture holders and depositors should have the first claim on the assets. He did not think they viewed the matter correctly, inasmuch as they had, under the operation of the old Act, the first lien, and under any circumstances the whole of the assets of those companies had to be exhausted in order to pay the demands of the debenture holders and depositors before the shareholders could make any claim. The only change in this Bill was that provided in the first clause which defined the words, "total liabilities of such society," to mean only the liabilities of any such society to the public, and was not to include the liability of any such society to its shareholders. The change was being made at the suggestion of parties holding debentures, and, so far from its creating any distrust in those societies, it must be of a reassuring character, as it would show that the societies were willing to meet the views of the debenture holders and the depositors. It was always a very serious matter to interfere with the provisions of a Bill under which securities had been issued, and he deprecated the making of such extensive changes as those proposed by his hon. friend from Hamilton. If the Bill were referred back to committee, the objections of the hon. gentleman would be overruled again, and it would only be a waste of time, as it had already been decided upon, and he therefore opposed the amendment.

Hon. Mr. MILLER said the hon. gentleman from Hamilton having failed to convince the committee that his amendment was in the interest of the public, he should have been satisfied, and should not have brought it before the House again. When a bill of this kind had received the almost unanimous sanction of a committee of gentlemen who were quite competent to deal with such questions, it was hardly to be expected that he would bring a motion which amounted to a reversal of the decision arrived at by the committee, before the House. The hon. gentleman could not for a moment suppose that if it were referred again to the committee, they would form a different opinion from what they had already done, unless under instructions from the House? He could not expect anything of the kind, and the only object the hon. gentleman could have was to delay the proceedings, and he thought the House should not entertain the amendment.

The amendment was then put, but as the yeas and nays were not demanded it was declared lost.

The Bill was then read the third time and passed.

CONSOLIDATED BANK OF CANADA BILL.

SECOND READING.

Hon. Mr. FERRIER moved the second reading of Bill (52) "An Act respecting the Consolidated Bank of Canada."

The motion was agreed to, and the Bill was read the second time and referred to committee.

BILLS INTRODUCED.

The following Bills from the Commons were introduced and read the first time:

Bill (41) "An Act to incorporate the North American Mutual Fire Insurance Company."

Bill (56) "An Act to incorporate the Atlantic and North-West Railway Company."

A QTESTION OF PRIVILEGE.

Hon. Mr. DEBOUCHERVILLE wished to call the attention of the House to a matter of privilege in connection with moving resolutions respecting bills. There was nothing in the rules which obliged a member who desired to move a resolution to have a seconder. At the end of the rules of the Senate, a clause was inserted to the effect that, in all unprovided cases the rules, usages and forms of proceedings of the House of Lords were to be followed. On referring to May, page 370 he found the practice to be as follows :

"In the Lords the questions for the printing and second reading of a Bill, on a future day, are rarely put, but are entered in the minutes, upon an intimation from the Perr who has charge of the Bill."

The usages of this House had always been to have a seconder, and although the privilege had not always been claimed, it did not follow that it did not exist. In 1857, hon. Mr. Morris had moved, and it was carried in the Legislative Council, that the mover's and seconder's names should be thereafter entered in the minutes and Proceedings. This was done on account of no names having been entered previous to that. Although the mover's and seconder's names were now entered in the proceedings it did not follow that the privilege of moving a resolution without having a seconder did not exist, and certainly, as the more implied the less, if an hon. member had the right to move without a seconder, he could also ask for a seconder. He thought this was a proper subject for the consideration of the committee on priveleges.

Hon. Mr. CAMPBELL said the hon. gentleman had, no doubt, correctly stated the practice of the House of Lords. The practice of this House was to have a seconder, and it seemed to him that it was attended with considerable convenience, as it prevented the House from being exposed to discussions on subjects that were not of sufficient importance to find a seconder. The practice of the House of Lords was the strict rule, however, and the hon. gentleman was right in appealing to it, but the practice of this House was otherwise.

Hon. Mr. MILLER said no matter what the practice had been of the Legislative Council of Canada before Confederation, or of the Senate since Confederation, they were governed by the rules of the House, and there was no rule of the Senate requiring a seconder to the motion ; therefore, they had to fall back on the practice of the House of Lords. It was clear, from May, that no seconder was required in the House of Lords, except in one case,—the moving of the reply to the Speech from the Throne. Whether it was a wise practice this House had been pursuing, was another thing. In his opinion it was a better course, but if any member desired to claim the right to introduce a motion without a seconder, he thought the ruling of the chair would have to be in his favor. He believed, however, it would be worth while to consider the propriety of changing the rule in order to make a seconder necessary in this House as well as in another place.

The subject then dropped.

The House adjourned at 4.45 p. m.

THE SENATE.

Wednesday, April 9th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE DISMISSAL OF THE LIEUTENANT GOVERNOR OF QUEBEC.

Hon. Mr. ALEXANDER—In rising to move that the House do now adjourn, I desire to avail myself of this opportunity of referring to a misconception which appears to exist in certain quarters—a widespread misconception which appears to prevail in a certain portion of the press, calculated to do much injury—I refer to the objection which has been raised to the action of His Excellency the Governor-General, in desiring to obtain upon this,

the first occasion of a dismissal of a high public official, the acquiescence of Her Majesty's Government to the carrying out of the advice of his Ministers, representing, as they do, a majority of Parliament. There can be no doubt that His Excellency in the course which he has pursued is actuated by the simple wish to carry into effect, upon this, the first occasion since the inauguration of Confederation, the desire of our Canadian Parliament in the manner best calculated to retain the feelings of loyalty and attachment of the whole population of Canada to the British Throne. Why, I might ask, this hasty ebullition of feeling in certain quarters, because the Queen's representative here, who has the happiness and welfare of Her people deeply at heart, is endeavoring to carry out the expressed wish of Parliament in the manner he thinks best to accomplish the object? Why should such unworthy suspicions be expressed that His Excellency is not deeply anxious to pursue a course free from all partisanship, in his high official position? It is a mere question of a month's delay to have such desire carried into effect, and the more enlightened of our people can understand that His Excellency's great object, as a British statesman, is to have such executed without alienating the affections of any of Her Majesty's Canadian subjects from the British Throne. I fear that those to whom I refer do not sufficiently prize the blessings which we enjoy as an integral part of the British Empire, and, living as we do, under its all-powerful shield; nor do they prize as they ought, the privilege and the advantage that we at this moment enjoy, of having a daughter of the Royal house in our midst. If ever there was a people blessed with a wise and good Sovereign, it is the people of the British Empire, and the whole family of that Sovereign have richly inherited her noble Christian qualities. Can the present generation forget how the Prince of Wales, on the occasion of his visit to Canada in 1861, won the affections of the whole people by his uniform kindness of heart and respectful consideration of the poorest citizen? Has not every step of the Governor-General and Her Royal Highness, from the first moment of their stepping on our shores at Halifax, been signally marked by the same uniform kindness and simplicity of heart—by the same never-ceasing and deep interest in all that concerns the welfare and happiness of our people? Why, then, this hasty ebullition of feeling based upon a mis-conception of the Governor-General's high object and purpose? We have further faith in the high intelligence and good sense of our people, that they can appreciate the high privilege and advantage they enjoy of having, at this moment in their midst one of the Queen's daughters, of whom the Earl of Dufferin so truly said in his memorable last speech, to the representatives of the Ontario municipalities:

"As for your future Princess, it would not become me to enlarge upon her merits. She will soon be amongst you, taking all hearts by storm by the grace and sweet simplicity of her manners, life, and conversation. If ever there was a lady who, in her earliest youth, had formed a high ideal of what a noble life should be; if ever there was a human being who tried to make the most of the opportunities within her reach, and to create for herself, in spite of every possible trammel and impediment, a useful career, and occasions of benefiting her fellow-creatures, it is the Princess Louise, whose unpretending exertions in a hundred different directions, to be of service to her country and generation, have already won for her an extraordinary amount of popularity at home. When to this we add an artistic genius of the highest order, and other gifts and accomplishments, all combined with manners and an address so gentle, so unpretending as to put everyone who comes within reach of her influence at perfect ease, you cannot fail to understand that England is not only sending you a Princess, but a good and noble woman, in whom the humblest settler or mechanic in Canada will find an intelligent and sympathetic friend."

I will only venture to add that I am sure that every member of the Senate will rejoice to have an opportunity of corroborating the whole of that speech of the late Governor-General.

The hon. gentleman then, with the consent of the House, withdrew his motion.

THE SOVEREIGN FIRE INSURANCE COMPANY'S BILL.

SECOND READING.

Hon. Mr. McMASTER moved the second reading of Bill (18) "An Act to amend the Acts respecting the Isolated Risk and Farmer's Fire Insurance Company of Canada, and to change the name thereof to the Sovereign Fire Insurance

Company of Canada." He explained that when this Company was first chartered the promoters of the measure intended to cultivate an isolated risk business exclusively. At the same time power was taken to do a general business. Since then the rates on isolated risk business had been reduced so low that it was unprofitable, without connecting with it the ordinary fire insurance business. They had the power to do that business, but they thought that the name of the Company would lead the public to suppose that they had not.

Hon. Mr. CAMPBELL asked, as a matter of information, if it was true that this Company had found that isolated risk business was attended with more loss than ordinary fire insurance business?

Hon. Mr. McMASTER replied that this had been the experience of the company. They had found that since the waterworks and appliances for extinguishing fire had become so common in large places, the ordinary business could be conducted with better advantage than isolated risks.

Hon. Mr. DICKEY was in a position to confirm what had been stated by his hon. friend, (Mr. McMaster). Since the incorporation of this Isolated Risk Company, (he would not say that it was solely in consequence of it), the rates for isolated risks had been so reduced by competition that the business had become unprofitable. This company, though it possessed the power to do a general insurance business, wished to have its title changed, and made more comprehensive than the old name.

The Bill was read the second time.

CONFEDERATION LIFE ASSOCIATION'S BILL.

SECOND READING.

Hon. Mr. McMASTER moved the second reading of Bill (53) "An Act to amend the Act of Incorporation of the 'Confederation Life Association.'" He explained that the principal amendment was to authorize the Company to invest in foreign securities to such an extent as would enable them to make the deposits required in other countries before doing business there.

The Bill was read the second time.

CANADA LIFE ASSURANCE COMPANY'S BILL.

SECOND READING.

Hon. Mr. MACPHERSON moved the second reading of the Bill (7) "An Act to amend the Act incorporating the Canada Life Assurance Company." He said that a large proportion of the policy-holders of this Company participated, to the extent of 75 per cent., in its profits. The Company had been exceedingly successful, and the profits were very large. The shareholders, of their own motion, wished that their policy-holders should participate in the profits to the extent of 90 per cent. Another amendment was to enable them to invest in securities of foreign countries to which they wished to extend their business.

Hon. Mr. HOPE said that while the amount of policies held by this Company was very large—from sixteen to seventeen millions of dollars—the capital was very small, and it was proposed to give the policy-holders the benefit of the profits to as great an extent as possible. He thought that the amendment was a move in the right direction.

The Bill was read the second time.

THE CANADA TEMPERANCE ACT AMENDMENT BILL.

IN COMMITTEE.

Pursuant to order, the House was put into Committee of the Whole, on Bill (J) "An Act to amend the Act known as the 'Canada Temperance Act, 1878,' so far as the same may become applicable to the Province of Manitoba."

Hon. Mr. MONTGOMERY, from the Committee, reported the Bill with an amendment.

The third reading was fixed for the 16th instant.

NORTH AMERICAN INSURANCE COMPANY'S BILL.

SECOND READING.

Hon. Mr. CHRISTIE, in the absence of Hon. Mr. Scott, moved the second reading of Bill (41) "An Act to incorporate the North American Mutual Life Insurance Company."

The Bill was read the second time.

The House adjourned at 4 o'clock.

THE SENATE

Wednesday, April 16th, 1879.

The SPEAKER took the chair at eight o'clock.

Prayers and routine proceedings.

THIRD READINGS.

The following Bills were read the third time and passed:—

Bill (27) "An Act to amend the Act to incorporate the Ontario and Pacific Junction Railway Company of Canada." (Hon. Mr. Alexander.)

Bill (J) "An Act to amend the Act known as 'The Canada Temperance Act, 1878,' so far as the same may become applicable to the Province of Manitoba." (Hon. Mr. Girard.)

THE NAPANEE, TAMWORTH AND QUEBEC RAILWAY BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. VIDAL moved concurrence in the amendments made by the Select Committee on Railways, Telegraphs and Harbors to Bill (40) "An Act to incorporate the Napanee, Tamworth and Quebec Railway Company."

The motion was agreed to.

Hon. Mr. Christie.

THE PARLIAMENTARY PRINTING.

EIGHTH REPORT OF THE JOINT COMMITTEE ADOPTED.

Hon. Mr. SIMPSON moved the adoption of the eighth report of the Joint Committee on the Printing of Parliament.

The motion was agreed to.

BILLS INTRODUCED.

The following Bills from the House of Commons were introduced and read the first time:—

Bill (45) "An Act to authorize the construction of a bridge over the Ottawa River for the use of the Quebec, Montreal, Ottawa and Occidental Railway, and for other purposes." (Hon. Mr. Penny.)

Bill (39) An Act to amend the Post Office Act, 1875." (Hon. Mr. Aikins.)

Bill (65) "An Act to incorporate the Geographical Society of Quebec." (Hon. Mr. Ryan.)

The House adjourned at 8.25 p.m.

THE SENATE.

Thursday, April 17th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE CONSOLIDATED BANK BILL.

THIRD READING.

Hon. Mr. HAMILTON, (Kingston) from the Committee on Banking and Commerce, reported that they had gone through the Bill (52) "An Act respecting the Consolidated Bank of Canada," and directed him to report the same without amendment.

Hon. Mr. RYAN moved the third reading of the Bill.

The Bill was read the third time and passed.

WINTER COMMUNICATION WITH PRINCE EDWARD ISLAND.

MOTION FOR A RETURN.

Hon. Mr. MONTGOMERY moved:

That an humble Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all reports, memorials and correspondence received by the Government during the past year, having reference to winter steam communication between Prince Edward Island and the mainland.

He said: One of the conditions upon which Prince Edward Island entered Confederation was, that steam communication between that Province and the mainland should be kept up during the winter as well as the summer months. It is true that the late Government, some three years ago, had a steamer built for that purpose, but she has not come up to the expectations which had been formed as to her fitness for the service. The route on which she has been placed is between Georgetown and Pictou. Now, I believe that no attempt to keep open communication by that route during the winter months will ever succeed. I crossed the Straits on the 31st of January, 1878, and we proceeded well enough until we came near Pictou Island, when she got fast in the ice, and the mails and passengers were carried seven miles below Pictou the next day. The vessel remained in the same position, in which I and my fellow passengers left her, during several days, unable to make her return voyage. On the occasion referred to, when I crossed in her, the passengers remained on board one night, and got to the mainland in small boats, as best they could, the following day. I think that the experiment would have been successful if the boat had been placed between Cape Traverse and Cape Tormentine. This winter we have been without a mail from the Island for six or seven days at a time, owing to the ice and the heavy winds, causing much open water, in which circumstances the boats could not venture out. During that time my hon. friend from Charlottetown, (Mr. Haythorne), and I wrote to Captains Irving and Muttart, the mail carriers at Cape Traverse, to ascertain how the crossing had been accomplished there. They replied that the steamer *Northern Light* could have crossed every day, and sometimes two or three times a day, during the roughest weather, except two or three days of thick snow storms. The late Government appointed a commissioner to report upon a proposition to connect Cape Tormentine by rail with some point on the Intercolonial Railway, and Cape Traverse with some point on the Island Railway. I hope that the present Administration will follow up the matter and endeavor to give us better communication, during the winter months in future, than we have had this winter. Hon. gentlemen who have never tried to cross the Straits in severe weather, have no idea of the difficulties which have to be surmounted in such a passage. Two years ago when we were crossing, and when about a mile of the "bord ice," we encountered a gale and had a narrow escape from being wrecked, and many of the passengers, when they reached the shore, were as wet as though they had been dipped in the sea. I think that the *Northern Light* is not adapted for the work which she has to do. The proper kind build of vessel for such a service would be one which would run up on the ice floes and break them.

Hon. Mr. HAYTHORNE—It has been my duty upon several former occasions to address the House upon this subject, and I, perhaps, should be rather reluctant to occupy your time to-day, if it were not that this subject is one of the first importance to the Province with which I am connected—in fact, upon its success or failure depends whether we are to receive our mails from day to day as they are delivered in all other parts of the Dominion, or deprived of them for long periods of a week or ten days at a time, as has been the case during the present winter. But the difficulty goes even further than the transmission of the mails. It interferes with the trade and commerce of the place, that it should be closed up from the commencement of the winter until the spring, by bond of ice that cannot be broken by ordinary vessels, and which prevent passengers from passing backward and forward between the Island and the mainland. All the communications which take place (during the open season) between our Province and the vari-

ous parts of the Dominion, are actually shut down as soon as the winter commences, and so it will always continue unless we can invoke the aid of steam to keep that communication open. It is not at all necessary that I should go into the details of this subject. Perhaps I may as well state that the maintenance of this communication during the winter months was one of the terms of union. The subject was mooted in the Island in 1869, by a colleague of the hon. gentleman who is now the leader of the Government in this House. It stood over then until the period when the Island was about to enter the Confederation, and then it formed one of the terms of union. The clause relating to it is as follows:

Clause 7, Subsection J. Efficient steam service for the conveyance of mails and passengers to be established and maintained between the Island and the Dominion, winter and summer, thus placing the Island in continuous communication with the Intercolonial Railway, and the railway system of the Dominion, and such other charges as may be incident to, and connected with the services which, by the British North America Act, 1867, appertain to the general government, and as are, or may be, allowed to the other provinces.

In conformity with this, after some considerable delays and many experiments which amounted to nothing, the late Government, as most hon. gentlemen are aware, built the *Northern Light* for this service. I am free to admit, with all the anticipations of success which I myself entertained before she was placed on the route, she has not been a complete success. She has been very far from it. She has not succeeded in bursting her way through the ice barriers which interrupted communication between the Island and the mainland during the winter season. However, I believe that she has not been placed on the route best adapted for maintaining winter communication—between Cape Traverse and Cape Tormentine. I believe if that route were adopted we should hear no more of these frequent interruptions which have occurred during this past winter. I make this assertion from my own experience, because I have crossed the Straits many times under the most variable circumstances, and I know that where it is a most arduous task to cross in small boats, there would be no serious difficulty with a steamer. I see no reason why the *Northern Light* should be contending with hard-ribbed ice when she can be supplied with coal and provisions and kept in the Straights to be brought out whenever required. It would not only give us far more efficient service, but it would save a large amount in wear and tear, and those damages which render it necessary every spring to put her on the marine slip at Pictou for repairs. My hon. friend who has introduced this motion has spoken of some communications which took place between us both and the mail carriers at the Cape. I must say that the reply which we received to our letter was most satisfactory. He informed us that during a period of ten days, when there was no communication between the Island and the mainland, there were six or seven days when a steamer could have crossed at that point. Unfortunately, however, in attempting to force her way from the place where she was stationed to the narrow part of the Straits, she had met with an accident which unfitted her for the service. It is to be hoped that the Government will take measures at the approach of another winter to have the steamer anchored in some convenient place, in some of the bays or creeks, with sufficient water for her to enter, and then as soon as the "bord ice," which never moves during the winter, forms, small harbors can be cut for her in that ice, without any great expense or trouble, and she can run from "bord ice" to "bord ice" with the greatest facility at those times when small boats could not do the work. I know that there are gentlemen for whose opinions I entertain the greatest respect, who do not believe in winter navigation at all, but I do not agree with them. Looking at the improvement in steam navigation of late years, I believe, though I may not live to see it, that within twenty years a means will be found of overcoming the difficulties which beset winter communication in many harbors of the Dominion, as well as between our Province and the Mainland. I believe that these difficulties will be overcome by science and skill. The hon. gentleman who leads the Government in this House has most courteously placed in my hands this afternoon a communication from Sir Hugh Allan, in which reference is made to a vessel which has met with great success in winter navigation. I

have been able to give it only a cursory examination. The vessel is called the *Newfoundland*, and it has been found most successful in breaking the ice in Halifax harbor, and other places, keeping open communication between Halifax and Newfoundland in the winter time. Looking at facts such as are detailed in this letter, I, for one, shall not despair of seeing communication kept open between Prince Edward Island and the mainland very successfully. I scarcely have had time to peruse the papers which the hon. gentleman handed to me, and for which I beg to tender him my sincere thanks, but I think it would be judicious if the motion were so amended as to enable the hon. gentleman to bring down these papers also. This is a matter which so intimately concerns not only those whose duties call them up here to legislate for the Dominion, and, who, during their absence from home, maintain their communication with their constituents under such difficult circumstances, but it concerns us as a country of merchants and farmers. Our merchants are obliged to take in five months' stock at once. Hon. gentlemen can understand the disadvantage of this and the necessity there is of making an effort to overcome such difficulties. The late Government endeavored to meet our wishes, and I am sure the present Government have no desire to throw any obstacles in the way of fulfilling the agreement with the Province to keep open steam communication summer and winter bewteen the Island and the mainland. Being convinced of this fact, I feel that I can safely trust the case in the hands of the Government and the Legislature.

Hon. Mr. DICKEY—Whatever opinion may be entertained of the necessity of keeping open this communication by breaking the ice between the mainland and Prince Edward Island, I think there can be no question that the ice has been pretty well broken on this subject by the discussions which have taken place in this House upon it from time to time. It is a matter of no small importance to the people of Prince Edward Island, and must be a matter of equal importance to the rest of the Dominion. A great many hard things have been said of this *Northern Light*. My hon. friend, who has just sat down, gives only a qualified assent to what has been said of that vessel, though I think the general verdict will be in accord with the opinion of the mover of the resolution. Still the seconder of the resolution admits that the vessel has been from the first put in the wrong place. I think that we must all regret the hon. gentleman did not use the influence which he possessed with the late Government, of which he was a supporter, to prevent that route being adhered to for so many years. It will be be very much more regretted in the Island from which the hon. gentleman comes, when the statement which he has made to-day, that he had always been of opinion that the vessel had been placed in the wrong position, goes to his constituents. However, I leave him to settle that with the members of the late Government in this House who are present themselves. With regard to the main question I think it certainly should be a matter of surprise —it always was a matter of surprise to me, that up to the present moment the common sense course of putting that vessel on the narrowest crossing of the Straits was not adopted in the first place. It stands to reason that the place where the ice is least difficult to encounter would be the point where the current is strongest, and that would, therefore, be at the narrowest point of the Straits between Capes Tormentine and Traverse, which is from seven to nine miles wide. But instead of selecting that point the very widest part of the Gulf was taken for the service—between Georgetown and Pictou, some fifty miles apart. There is no difficulty, in my opinion, in getting, by a cheap mode, regular communication between Cape Tormentine and Cape Traverse, or from the Intercolonial Railway via Pugwash to the Island. I imagine that the report, when it comes down, will show that by building some 32 miles of railway from Cape Tormentine to connect with the Intercolonial at Amherst, this route can be adopted. I think it is perfectly practicable to keep open communication by the narrowest part of the Gulf, by a much smaller steamer than the *Northern Light*, and at less than half the cost. If it is made in connection with Pugwash that point is only fourteen miles from the Intercolonial Railway; if by Cape Tormentine, some thirty-two miles of road

would have to be built. I am in a position to state that a line can be found a mile and a half shorter than any that has yet been surveyed, and through an equally good country. Under the circumstances, I think that my hon. friend was perfectly warranted in asking for the papers, and when they come down, I think the Government will see the importance of acting upon the suggestions that have been made in carrying out a condition that was deemed essential at the time of the union of the Island with the Dominion.

Hon. Mr. MACFARLANE—After having fairly tested the navigation of the Straits of Northumberland, it has been found impossible to keep open communication between Georgetown and Pictou during the winter months. That fact having been proved, an order, I understand, was issued by the Government during the winter to have the vessel proceed up the Straits and endeavor to keep open the communication between Pugwash or Wallace and the nearest part of the Island about eighteen miles across. Persons who have resided in that locality for many years send certificates to the Government to the effect that there are no insuperable difficulties in the way of keeping up communication between Pugwash or Wallace and Prince Edward Island. Untortunately, however, the vessel having been ordered up the Straits so late in the season, and having to force her way through such heavy ice, she received serious damage, and the experiment of crossing between these places has not been tried. I regret this exceedingly, because very many people who profess to be thoroughly acquainted with the subject, state that the ice in this narrow part of the Straits is always in motion, and that a vessel with sufficient power could fight her way through it without difficulty. We all feel that it is our duty to keep up this communication with Prince Edward Island if possible, and I may state that there is an anxious desire on the part ot every person who has a knowledge of the subject to see that the wishes of the people of Prince Edward Island are complied with. If the communication cannot be kept open, the sooner we know it the better, as the *Northern Light* has been a very expensive vessel, not only in the original cost, but in repairs and sailing expenses. She has been so constructed that she cannot extricate herself when she becomes jammed in the ice. Common sense would seem to point out the sort of vessel which should be employed. It should be something like the sealing vessels of Newfoundland. It is well known that these sealers can contend with terrible floes of ice. I was glad to see from a return relating to the seal fisheries—which have been very successful this year—that not an accident occurred to any of the vessels engaged in that business, and of all the men employed, only two had been injured or had lost their lives. The fitness of those vessels for such service as navigating the Straits has been so thoroughly tested as to conclusively shew that they should be employed instead of a craft like the *Northern Light*, which appears to have been built as an experiment by some person who had a hobby, as experience has proved that she is totally unfit for the work for which she was constructed. I trust when the papers come down they will show that the Government have tried to place the vessel on the short route. There is no doubt that Cape Tormentine is the narrowest point in the Straits. Unfortunately, however, the water is too shallow there for a vessel like the *Northern Light* for a long distance on both sides. The current in the middle is very strong, and while a break-water would be very expensive at that place, it is doubtful whether it would stand. One thing is clear, however, the vessel should be placed where she can touch land on both sides, and if ever the communication is to be kept open during the winter season it will be by some such means.

Hon. Mr. CAMPBELL—There can be no objection to the motion. I am not in a position to discuss the merits of the *Northern Light*, nor is my opinion very clear as to the character of the vessel which ought to be employed for this service. Undoubtedly, the late Government hoped and expected that the *Northern Light* would have been able to perform this service satisfactorily. We have some navigation of a similar character at Quebec, I fancy, where a steamer does overcome the obstacles in the way, and runs all through the season—certainly, when there are heavy floes of ice in the

river—but I do not know if the navigation at Quebec is as difficult as in the Straits of Northumberland. I remember that a vessel was once constructed to run on Lake Ontario, from the harbor of Kingston, during the winter months, and it succeeded in breaking three or four inches of ice very easily. The vessel was constructed to mount on the ice and break it. Whether that can be done in the Straits of Northumberland I cannot say. However, it is the duty of the Government to establish this communication if possible. With reference to the papers which I placed in the hands of my hon. friend (Mr. Haythorne) I may say that they do not relate to this subject and do not belong to the Government. They relate to the steamer *Newfoundland*, which is said to have been found very useful for winter navigation. The cost of that vessel, as stated in the letter, was £20,000. The papers asked for in this motion will be brought down, and anything that can be done with reference to establishing this communication the Government will, of course, do.

Hon. Mr. MONTGOMERY—Even if Pugwash were selected I do not think that the mails could be trusted by that route. The only practicable way is by Capes Traverse and Tormentine. I believe that during the severe weather the steamer and the boats will have to be worked together. The distance from Cape Tormentine to Cape Traverse is nine miles. In winter the "hard ice" forms for about a mile on each side, narrowing the distance to seven miles. As long as the vessel remains in the broken ice there is no difficulty—in fact, she does better than I ever expected to see any vessel do, but it is natural to suppose that she will have less difficulty in making her way through seven miles than through forty miles of broken ice.

Hon. Mr. SCOTT—It must be within the recollection of hon. gentlemen who take an interest in this question that this particular vessel was selected for this service at the instance of a very large majority of the gentlemen who represent Prince Edward Island in this House, and in the House of Commons. They certainly approved of the model, and the Government were anxious to meet their wishes in every respect. As to the route across the Straits the hon. Senator behind me, (Mr. Dickey), thinks it was very extraordinary that the present route should have been selected. The House will recollect that the selection of Capes Tormentine and Traverse would have involved the construction of forty miles of railway in order to make those points available, therefore, Georgetown and Pictou were naturally selected as affording the necessary railway connection. If the Capes have to be adopted as the points for crossing, then you must build a railway on the Island to connect the present railway with Cape Traverse, and a railway on the New Brunswick side to connect Cape Tormentine with the Intercolonial.

Hon. Mr. HAYTHORNE—In answer to some remarks which fell from the hon. Senator from Amherst, I must say that the route by the Capes was selected in the first instance by the late Government who entered into a contract with Mr. Sewell to put a vessel there, but that contract was afterwards cancelled. I cannot charge myself with any remissness in placing this matter before the late Government and the Legislature. I introduced the question and urged it very strongly in this House, and I think the hon. gentleman's remarks are uncalled for under the circumstances.

The motion was agreed to.

NAPANEE, TAMWORTH AND QUEBEC RAILWAY BILL.

THIRD READING.

Bill (40) "An Act to incorporate the Napanee, Tamworth and Quebec Railway Company," (Hon. Mr. Vidal,) was read the third time and passed.

ATLANTIC AND NORTH-WEST RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. DEBOUCHERVILLE moved the second reading of Bill (56) "An Act to incorporate the Atlantic and North-West Railway Company." He said the object of this Bill was the formation of a Company whose aim was to amalgamate several railway companies

already in existence, and to build a railway from a point in New Brunswick, on the Atlantic coast, so as to make a through connection to Lake Superior by way of Lake Megantic, Sherbrooke, Montreal, Ottawa and French River; also to build a bridge across the St. Lawrence River, or to enter into an arrangement with the Grand Trunk Railway Company for running powers over the Victoria Bridge at Montreal.

Hon. Mr. DICKEY said the object of the Bill was a good one, and the names of the persons who sought for the Act of incorporation were good names, but the powers asked for were very extensive and were of an extraordinary character. The first point raised was in the preamble, which set forth that these gentlemen were desirous of obtaining a charter incorporating them as a company, for the construction of a railway line, from a point on the Atlantic coast, within the Dominion of Canada, to a port on Lake Superior, etc. It was quite evident that there was no point on the Atlantic coast, within the Dominion of Canada, from which a road could be constructed via Lake Megantic to Sherbrooke and Montreal. Then, in the third clause of the Bill, power was taken to amalgamate with companies in a foreign country, to take aid from municipalities, and to construct, hold, acquire and maintain a portion of their road across any part of the State of Maine. It was a sort of an international railway, and it was legislation, so far as he knew, without precedent, and might become very embarrassing. Then, with regard to the construction of a bridge across the St. Lawrence, it was left subject to the approval of the Governor-in-Council. This clause would require to be carefully scanned in order to see whether it was a power that should be given. The Bill was of an extraordinary character. It asked for power to construct a line that was to compete with the Intercolonial the Grand Trunk, and even the Pacific Railway, and he considered, without prejudging the case, it was but right to call the attention of his hon. friend, and of the House, to the provisions of the Bill before it was referred to committee.

Hon. Mr. DE BOUCHERVILLE was thankful to his hon. friend for reminding him that the line was to run through the State of Maine, a fact which he had forgotten to mention, although it was in the Bill. The point on the Atlantic coast from which the railway was to start, was a point on the Bay of Fundy, and there were already four roads in operation which with the projected roads would form a through line by amalgamation. There was the Montreal, Chambly and Portland Railway, the Shefford Railway, the Magog road and the International. These with a line through Maine and New Brunswick would shorten the distance between Montreal and the Atlantic coast by some three hundred miles, which would not, of course, be favorable to the Intercolonial Railway.

The Bill was read the second time and referred to committee.

The House adjourned at 4 p. m.

THE SENATE.

Friday, April 18th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

NEW SENATOR.

The Hon. the SPEAKER informed the House that there was a member without ready to be introduced, when the hon. William J. Almon was introduced, and presented Her Majesty's Writ summoning him to the Senate. The same was then read by the Clerk.

Hon. Mr. ALMON took and subscribed the oath prescribed by law, and took his seat accordingly.

BILL INTRODUCED.

Bill (L.) "An Act to provide for the liquidation of the affairs of Building Societies in the Province of Quebec. (Hon. Mr. Bellerose.)

The Bill was read the first time.

THE CAMPBELL DIVORCE CASE.

MOTION TO PAY A WITNESS.

Hon. Mr. REESOR moved :

That the Clerk be authorized to pay the witness, James Keith Gordon, for his necessary travelling expenses, properly incurred by his attendance in obedience to the Order of this House.

He said : I do not know that I can add anything to what I said on a former occasion with regard to the propriety of paying the expenses of this witness. It is a case in which the petitioner asked leave to prosecute her case *in forma pauperis*, and, having been allowed to do so, it is claimed that the expenses incurred in proceeding with that petition should be met by the House. Of course, in taking such proceedings before an ordinary court of justice, where there is no fund to meet such expenses, there is no precedent for this, but the services of an officer of the court are given gratis, and any expenses incurred by the attorney of the party suing *in forma pauperis* are met. But the payment of witness' fees can be provided for by the Senate. It is done in regard to other witnesses summoned before committees of this House, and, therefore, there is nothing unusual in my proposition. I will just quote again from "Marshall's Law of Costs" on this point :—

"But the practice of exempting a pauper from the payment of all costs, has been established for a very long time ; and the principle on which it rests is, that it would be a great wrong to compel a person to pay costs who is totally destitute of money ; a reason which applies as much to interlocutory as final costs.

"The attorney cannot charge for any matters following under the description of skill and advice, which includes all necessary business, as for performing the requisite documents ; but he is entitled to be reimbursed money which he has necessarily expended for the pauper.

"The plaintiff (the attorney), therefore, can recover for the paper and parchment only. The pauper is not even liable where he has recovered a verdict with large damages to pay the Court fee upon signing judgment ; but has a right to have judgment signed without payment.

"As a pauper plaintiff pays no fees to counsel, and is not liable to compensate or reward his attorney, or pay any Court fees, so neither if he recovers judgment in the action, is he entitled to have any thing from the defendant, in respect of these matters."

According to the principles laid down here, it would appear that, even though the petitioner should succeed in obtaining a divorce *a mensa et thoro*, she could not recover costs from the respondent, and I cannot, therefore, see why the House should not allow this motion to pass. Otherwise, the expense is entailed upon the witness who, in obedience to an order of the House, travelled 270 miles to come here, was obliged to remain here a day or two before returning home—he is obliged to pay these expenses himself, which does not appear just or equitable, and is not in accordance with the principles laid down by the House, *i. e.*, that all the expenses necessarily incurred in the prosecution of this case, shall be met by the Senate.

Hon. Mr. DICKEY—I fear that the authorities to which my hon. friend has called the attention of the House, can hardly be cited as precedents for the guidance of the House in this matter. It is rather unfortunate, perhaps, that we should be called upon, at this stage of the proceedings, to consider this question at all, because, it seems to me, it would be much more convenient to let the matter stand. No harm can be done by postponing it until we know what the fate of the Bill will be. In regard to the precedents cited, they only apply to suits between party and party, and not to a case like this where the application is that the Senate pay the expenses. I have looked into the cases in the House of Lords, and as I expected, I find no precedent there at all. The only ground on which this application can be sustained is this : the practice of this Honse has been all along, as far as I can learn, to pay these expenses, where the witnesses were summoned to appear before committees, or where they have appeared here, by order of the House. My hon. friend must know that this is the only ground on which he can ask that these expenses be paid by the Senate. He cannot claim it as a matter of right, In a case like this it is quite possible that if the result of the petition should be the granting of the divorce there might be a mode of taxing those fees against the husband. I merely throw out the suggestion. The point is just this : is the House inclined under the circumstances, as I am personally inclined, to grant these witness fees ? That is the sole question, and it depends, not

upon the precedents cited and the practice of the House of Lords, but upon the continued practice of this House.

Hon. Mr. MILLER—I have occupied the attention of this House so frequently and at such length on this question, that I feel somewhat reluctant to do so on this occasion. It will be in the recollection of the House, that when this motion was made so unexpectedly by the hon. Senator, without notice some weeks ago, I asserted my opinion, that under no precedent, either in the courts or in parliamentary proceedings in relation to divorce, was he entitled to what his motion demanded. Afterwards, when the motion came regularly before us, I took occasion to review the authorities which the hon. member then cited, and which are the same as he has quoted again to-day, and I think convinced the House that the hon. gentleman had no legal or other grounds for the motion that he then made. On that occasion my hon. friend from Amherst asked that the consideration of the matter might be postponed until he had an opportunity of looking into it, and I am glad to find that, on enquiry, he has come to the conclusion at which I arrived, that there is no precedent for this motion. I must say, and I say it in no discourtesy to my hon. friend from Markham, that a layman is not always, if ever, a safe exponent of legal dicta, and the hon. gentleman has fallen into the most absurd errors in construing the authorities he has cited. The court has no power in a case where a party sues *in forma pauperis* to do more than to remit the fees which could be exacted by the court, and to assign attorney and counsel to prosecute the case. Such a thing as the tribunal that grants the favor of free process and other privileges, paying the expenses of a suit *in forma pauperis* is unknown. My hon, friend on my right says it is unfortunate that this question should come up again to-day. I do not agree with him. I see no reason why it should not be decided now. In fact it should have been settled long ago. It has nothing to do with the merits of the case, but if a majority of the House feel disposed to allow my hon. friend to put his hand into the public treasury to pay this witness and have the right and power to do so, I have not another word to say. My hon. friend admits that there is no precedent for this motion, but he says there is one strong ground for it—that this House has been in the habit of paying the expenses of witnesses who attended in obedience to its orders. The hon. gentleman has not qualified his opinion in this respect as I think he should have done. I have never served on one of these divorce committees for reasons which are presumed to disqualify myself and others from performing such a duty, but I do not believe that there is any precedent whatever for the payment of a witness who has attended in a divorce case. If I am wrong, my hon. friend can correct me. In an ordinary case, where the party prosecutes on his own account and at his own expense, I do not believe that the House ever ordered the expenses of witnesses to be paid out of the public funds. It is only in case of a public inquiry, not where the House is constituted a judicial tribunal, that Parliament has ever paid the expenses of the attendance of a witness before its committees. In matters connected with the public business of the country, when Parliament orders the attendance of a witness, it, of course, pays his expenses. But, in a case like this, what is meant by the allowance of costs, is that proper costs may be taxed against the unsuccessful party in the litigation. If the hon. gentleman should succeed in this case, the petitioner can tax certain costs and disbursements against her husband, though she cannot tax anything which has been remitted by the grace and favor of the court. There is nothing in the rules of the House to entitle the hon. gentleman to his motion. I am aware that a majority of the House has hitherto shown a very strong desire to favor the petitioner in this case, and I am not prepared to say that they will not sustain this application, but I warn them that they are establishing a precedent which may become a serious public charge. For aught we know, this is only the entering wedge for heavy expenses of this kind, even in the present case. Why should we step in and prosecute this suit for this woman or for any other individual at the public expense? I see no ground to justify it in any sense whatever, and all law usage and precedent are against it.

Hon. Mr. HAVILAND—I must admit that not one of the authorities quoted

by the hon. Senator who has charge of this matter applies to the case, but I think that it occupies this peculiar position: the Senate issued an order to bring to the bar of this House James Keith Gordon to give evidence. Now, would it be right to compel any individual, on an order of this House, to leave his home two or three hundred miles away, to give evidence here without paying his expenses? If it was the opinion of the Senate that the expense should have been met by the petitioner, they should have declared their willingness to hear the witness when he was brought before them, but refused to issue a mandate to compel his attendance. Admitting that none of the authorities which have been cited apply in the least to this case, I am certainly of opinion that whenever this Senate issues an order to compel the attendance of a witness—I care not whether it is in connection with a divorce case, a railway bill or any other matter of a public or a private nature—the expenses of that witness should be borne by the body which issues that order.

Hon. Mr. DICKEY—I certainly did not mean to say, nor did I say, that it was the practice of this House or of its committees to give costs of witnesses in divorce cases. I qualified it in this way: where it was the order of the House that a witness should appeal before a committee the practice of the House had been to pay his expenses. I mentioned that as one of the grounds on which my hon. friend could claim the payment of the expenses of this witness, bnt I qualified it by saying that I supposed some way might possibly be found, before a committee, to tax the costs against the husband, in case the petitioner succeeded in her suit.

Hon. Mr. MILLER—I am very glad to find that my hon. friend does not differ from me on that point.

Hon. Mr. KAULBACH—With regard to what the hon. Senator from Prince Edward Island has said, I cannot see any precedent for his view of the matter even in the courts of law. In no case does the court pay the costs. No doubt my hon. friend from Amherst has searched carefully for precedents, and he has failed to find one for this motion. Evidently there is none in the practice of the courts or of Parliament to be found. It would be a dangerous precedent to establish; it is contrary to reason and should not be entertained by the House. There was no necessity, in the first place, to bring the witness before the bar of the House if the hon. gentleman had pursued the proper course. An affidavit would have done as well.

Hon. Mr. HAVILAND—I contend that there is no analogy between a subpœna issued by a court of law, and an order of the House. Because, when a subpœna is issued by a court of law the witness is not bound to obey unless his expenses are paid.

Hon. Mr. MILLER—By whom?

Hon. Mr. HAVILAND—By somebody. In this case the order was issued by the Senate, and the witness was obliged to come, and I can only say that if we refuse to pay his travelling expenses the Senate will be placed in a false position.

Hon. Mr. CAMPBELL.—I do not think that this sum should be paid to the witness. The matter has been put very clearly before the House by the hon. Senator from Richmond. The order of the House is no more than the order of a court—nothing more than a subpœna directing a witness to appear. He might have refused to come here until his expenses were paid. We have had a precedent in our own practice here, in the Martin divorce case. A witness who resided at Barrie, Ont., was summoned to appear before the committee. He came, but refused to give evidence until he was paid an amount in which he said he was short of his travelling expenses. Money had been paid to him in Barrie when the order of the House was delivered to him, but not the full sum to which he was entitled, and he refused to give evidence until the deficiency was made good. The committee upheld his demand, and in the presence of the committee he was paid the amount of the deficiency. There is a case carried out to its ultimate result by the House, and it clearly shows that the order of the House for the appearance of a witness is only imperative when his travelling expenses have been paid to him.

As regards the general rule, there can be no doubt that the only case in which a witness is paid out of the public exchequer, is when he comes in answer to the command of the House to appear before a committee on some public question; but this is not a public question. It is a question before us as a Judicial Tribunal Court, in the absence of any divorce court, for the purpose of hearing this case. In respect of such cases, there is no distinction between this court and any other court. It is unheard of, that the money to pay a witness should come out of the pocket of the court. This House cannot spend the public money without a vote or an Act of Parliament. By what authority shall we use the public money for such a purpose as this? We cannot do so without the sanction of Parliament. Hon. gentlemen may say, "Take it out of the contingencies of the House," but that should not be done. The contingencies are given to us for the legitimate use of the House, and not to pay the expenses of a witness who is no doubt entitled to be paid, but not by us. Without going further into the question I must say that it is as clear to my mind as anything can be, that this House has no right to pay the expenses of this witness out of the public treasury.

Hon. Dr. CARRALL—I hold the opposite opinion. If this House has no jurisdiction over cases like this, I think they should clothe themselves with the power: they should possess the power of paying the expenses of the witnesses they summon to attend here. I maintain that this is a case of hardship, and I shall certainly vote for the motion.

Hon. Mr. CHRISTIE—I hope that the House will vote for this witness being paid. The case cited by my hon. friend opposite, (Mr. Campbell), is not similar to this. The petitioner in that case did not sue *in forma pauperis.*

Hon. Mr. CAMPBELL—That makes no difference in the argument.

Hon. Mr. CHRISTIE—I think it does. We have given Mrs. Campbell the right to sue *in forma pauperis.* We know very well that she cannot conduct her case without leniency being shown by the Senate. Certainly, as we pay the expenses of witnesses when we summmon them in public cases, there can be no great objection to pay the witness in this case. The petitioner cannot do so, and it would be a substantial defeat of justice if we refused to pass this motion.

Hon. Mr. BELLEROSE—I would like to ask the hon. gentleman whether in the case of a suit *in forma pauperis* in an Ontario court, the fees of the witnesses are paid by the Court?

Hon. Mr. CHRISTIE—The Court has no exchequer.

Hon. Mr. BELLEROSE—Then the hon. gentleman ought not to ask us to do more than the courts are able to do in similar cases.

Hon. Mr. MACPHERSON—I think it is clear that the Senate would not be justified in paying the expenses of this witness. It is a private case, and the witness should have been paid his fees betore he left home. He was not obliged to obey the summons without that, and it has been clearly shown that the Senate is like any other court—without authority to pay the expenses of witnesses—and that it would be a positive misappropriation of the public funds to take the money out of the contingencies of the Senate.

Hon. Mr. PENNY—It seems to me that this is an exceedingly irregular proceeding. That has been my opinion from the first. There will be other witnesses in this case, and if we pay the expenses of this one we shall have to pay the expenses of the whole of them. If we refuse to do so, it will be said we have undertaken something which we cannot carry out. We have undertaken to summon one witness, and if we do not summon the others they will refuse to come, because they will not be paid unless we do, and there will be an end of the proceedings for want of evidence. If we do summon them, we shall have to pay their expenses. If this case were the only one that was ever to come up, it might be a small affair, and there would be little occasion to say much about it; but if you are going to make this luxury of divorce so exceedingly cheap, you will have plenty of such cases

as this. All the ladies who want to be divorced will certainly bring their cases here and apply *in forma pauperis.* I am sure that there will be a great many more ladies making such applications than gentlemen applying for divorce *a vinculo,* because it will be much easier to find proof of such facts as are now alleged than to show the cause on which we have hitherto granted divorce under the old system. I am very well satisfied that if we grant this divorce, and pay the expenses of witnesses, we shall have plenty of these applications. This being the first case of the kind, and there being neither law nor precedent for paying the expenses of witnesses, I think we should put our foot upon it at once, and refuse to pass this motion.

On the question of concurrence, the House divided as follows :

CONTENTS

The Hon. Messrs.

Aikins,	Grant,
Archibald,	Haviland,
Benson,	Haythorne,
Boucherville, de	Hope,
Brouse,	Leonard,
Bull,	McClelan (Hopewell),
Carrall,	Montgomery,
Christie,	Muirhead,
Cormier,	Read,
Dever,	Reesor,
Dickey,	Seymour,
Ferguson,	Sutherland,
Ferrier.	Wark and
Flint,	Wilmot (Speaker).—29.
Glasier,	

NON-CONTENTS :

The Hon. Messrs.

Alexander,	McLelan (Londond'ry),
Allan,	McMaster,
Armand,	Macdonald,
Baillargeon,	Macfarlane,
Bellerose,	Macpherson,
Campbell,	Miller,
Chaffers,	Odell,
Chapais,	Paquet,
Cochrane,	Penny,
Cornwall,	Pozer,
Dickson,	Scott,
Dumouchel,	Simpson,
Girard,	Trudel, and
Hamilton (Kingston),	Vidal.—29.
Kaulbach,	

The motion was declared lost.

Hon. Mr. Penny.

SECOND READING OF THE BILL.

Hon. Mr. REESOR moved the second reading of the Bill (K) "An Act for the relief of Eliza Maria Campbell."

He said: In moving the second reading of this Bill, I do not propose to detain the House by making many remarks of my own. The matter has been so often before the Senate, and so frequently discussed, and, in fact, the whole subject has been investigated in former sessions of the House so thoroughly, that it is unnecessary for me to detain the House very long in setting forth the reasons for presenting this Bill. In 1873, differences arose between petitioner and his husband, in consequence of which she was removed by force from his house, and after that period lived apart from him. In 1876 a petition was presented to the Senate by the husband, praying for a divorce from his wife on the ground of adultery. A special committee was appointed, and the petition was referred to it. Witnesses were called, and all the steps were taken for a thorough investigation of the case. The result was that the committee reported that the wife had not been proved guilty of adultery, and they, therefore, refused to grant petitioner a bill of divorce. A petition was then presented by Mrs. Campbell praying for a separation *a mensa et thoro,* such as is granted in England and also in Quebec —a divorce not dissolving the marriage tie, but simply a separation from bed and board, and providing for the maintenance of the wife and children. This petition was referred to the same committee of the Senate. Evidence was heard on the part of petitioner, and several days were spent in the investigation of the case. Finally the committee reported that the allegations of the petitioner, Eliza Maria Campbell, were true according to the evidence. Subsequently a bill was introduced, but owing to the lateness of the session, and to the fact that the case had been completely reversed—the notice having been given for an application on behalf of Robert Campbell to get a divorce from his wife, instead of an application for a separation on the part of the wife from the husband—it was claimed that the matter should be laid over until the following session, in order that, if possible, the husband might be given a chance to further oppose the petition of Mrs. Campbell. At the next session the Bill in favor

of granting a divorce *a mensa et thoro* from the husband passed the Senate, and was sent to the House of Commons, but owing to the fact of notice not having appeared in the *Gazette*, of the intention of Mrs. Campbell to apply for that bill, the House of Commons reported against it, and without deciding the question at issue on its merits, it was rejected in that House for want of notice. The matter was brought up here again last session, but it was found that notice had not been given in the *Gazette*, though it was still contended for the petitioner that the matter was still pending in Parliament, and that further notice was not required. In 1878, due notice was given in the *Canada Gazette*, and two local papers published in the county where the petitioner and respondent both reside. The service of the notice has been proved, and copies of them laid before the committee to whom the petition of Mr. Campbell was referred. That committee reported the evidence satisfactory. The Bill was thereupon introduced, and we have now come to its second reading after a lapse of fourteen days. During those fourteen days it was necessary to serve a copy of the Bill on Robert Campbell, who, as well as the petitioner is now at the bar of the House. A copy of the affidavit of service I have now in my hand, and am prepared to submit it to the House with a copy of the Bill attached. In regard to the objections which have been taken at different times to the introduction of the Bill in this House, I may say, one that has been persisted in continually by some hon. gentlemen is, that it is not an application for a divorce *a vinculo*, but simply for a judicial separation, and that a judicial separation is not a divorce. That having been disputed so often when the matter has come before the House, I beg to read an authority on the subject: According to the Law Dictionary of Mozely and Whitely, there are three kinds of divorce :

"1. A Divorce *a mensa et thoro* ; which is where the marriage is just and lawful *ab initio*, but for some supervenient cause it has become improper or impossible for the parties to live together. This kind of divorce is now generally called a *judicial separation*. Its effect is to place the parties in a position of single persons, except that neither party can lawfully marry again in the lifetime of the other. "

Now, I think that this Bill proceeds upon that basis, and provides that if, at any time after the separation provided for under the Bill takes place, the parties choose to live together again as man and wife, the whole effect of the Bill falls to the ground. They continue in future as man and wife, and would not have to remarry, as would be the case in a divorce *a vinculo*. It also provides that, so long as they continue to live apart, the husband shall also furnish a reasonable maintenance, according to his means, for the support of his wife. That is what is understood and recognized in England, and what is called a judicial separation in Quebec. Therefore, the divorce asked for here, is not one that any section of the people in the Dominion, owing to peculiarities of religious faith or the institutions of the Province in which they live, need object to, because it is not a dissolution of the marriage tie. Then there is another objection that has been frequently urged, and urged, also, by legal gentlemen, which carries more or less influence, but I am glad to believe that the weight of authority is altogether against them. I refer now to the objection that such a divorce as this involves civil rights, and, therefore, that the Dominion Parliament has no jurisdiction in the matter. Now, it is only necessary to call the attention of hon. gentlemen to this fact—that nearly every matter in which the Dominion Parliament has exclusive jurisdiction, involves civil rights. For example, we have exclusive jurisdiction in matters relating to banking and commerce. Now, you cannot charter a bank without that charter containing matters involving civil rights, nor can you charter a railway running from one province to another without involving civil rights. You cannot charter a building society or a loaning institution, or a navigation company ; you cannot pass a bankruptcy law or amend one without more or less affecting civil rights. We are told that because this Bill involves these rights, the Dominion Legislature should have nothing to do with it. While to the Dominion Parliament is given the regulation of all matters relating to marriage and divorce, to the local parliaments is given the control of all matters relating to the solemnization of matrimony. Now, these things are very distinct, and from the fact that the words "solemnization of matrimony" are used, you cannot presume that

the powers of the local legislatures extend beyond that. Under the circumstances, I cannot see why the Bill should be persistently opposed upon the ground that some hon. gentlemen have urged, and, judging from a notice upon the paper, which will be urged again to-day—that this House has not jurisdiction on this question. I think there is no ground for the reference of this question to the Supreme Court. In regard to the details of the Bill, that is a matter which can be gone into before the committee, if the Bill should pass its second reading which I now move.

Hon. Mr. KAULBACH did not rise to make any comments upon the Bill, as he would do so before the second reading, but simply to ask why the hon. gentleman did not comply with the formalities of the 76th Rule?

Hon. Mr. MILLER said the hon. gentleman, (Mr. Reesor), could do so when the motion was put from the chair.

Hon. Mr. CORNWALL although agreeing with his hon. friend, (Mr. Kaulbach), that the formalities of the 76th Rule should be complied with, thought that it would be be as well to dispose of the motion of which he, (Mr. Cornwall), had given notice, first.

Hon. Mr, KAULBACH asked the ruling of the chair whether any proceedings could be taken until the course prescribed by the 76th rule was followed.

Hon. Mr. MILLER said that the motion for the second reading was perfectly in order. If the motion in amendment should be carried, and the Bill should be referred to the Supreme Court, there would be no necessity to comply with the formalities of the 76th rule until the decision of the Supreme Court was known. If the Judges should declare the Act unconstitutional, there would be an end to it. If they should decide that it was within the jurisdiction of Parliament, it would be time enough to comply with the formalities of the rule on the motion for the second reading. He thought the course pursued by the hon. Senator from British Columbia, was in many respects the most logical and usual one.

Hon. Mr. Reesor.

Hon. Mr. BULL said if the amendment were carried, it would burk the whole question. If the Bill were referred to the Supreme Court, there would be an end to it for this Session.

Hon. Mr. CORNWALL—In moving that the Bill which is now under consideration he referred to the Supreme Court for examination and report as to the right and power of the Parliament of the Dominion to pass such a Bill, I am acting in accordance with the rules and orders of this House, for rule 55 reads :

"Any time before the final passing of any Private Bill, the same may, if the Senate think fit, be referred to the Supreme Court for their examination and report, as to any point or matter in connection with such Bill expressed in the Order of Reference."

And I find on referring to "The Supreme and Exchequer Court Act" 38 Vic : that clause 53 enacts :

"The said Court" [meaning the Supreme Court] "or any two of the Judges thereof shall examine and report upon any private bill or petition for a private bill presented to the Senate or House of Commons and referred to the Court under any rules or orders made by the Senate or House of Commons."

I have been induced to take the course provided for by the authorities I have quoted, in view of the peculiar circumstances attending the bill for the relief of Eliza Maria Campbell. The whole matter has been so long before the Senate that I am quite sure that most of the members of this House are thoroughly conversant with all the salient points in the case, and, therefore, I need only refer to them in a passing way. In 1876 a petition was introduced here by Robert Campbell of Whitby, in the Province of Ontario, praying that he might be divorced from his wife, Eliza Maria Campbell, on the ground of her adultery. Prior to the introduction of the Bill in the Senate, certain judicial proceedings in the matter had already taken place in the Superior Courts of the Province of Ontario. In one court Robert Campbell had brought an action for damages against one Gordon, alleging that the defendant had been guilty of adultery with his, Campbell's wife, the present petitioner. The finding was that adultery had been committed, and Robert Campbell recovered the damages which he sought. The other case was brought be-

fore an Ontario Court by the present petitioner, who applied to the Court of Chancery to grant her alimony from the possessions of her husband, from whom she had been separated; and also the custody of one of her children, and a certain yearly sum for its maintenance. After what was evidently a patient hearing of all the facts connected with the case, the Vice Chancellor refused to grant the application, coming to the conclusion which he formed on the pleading of the husband, that Eliza Maria Campbell had been guilty of adultery. Fortified thus by the decision of the two courts to which I have referred, Robert Campbell, in 1876, came to the Parliament of Canada and asked that he should be granted a divorce from his wife, on the same ground, *viz.*: of adultery. The Senator, however, actuated no doubt, by the purest motives, and, perhaps, guided by the best of reasons, found that the preamble of the Bill had not been proven; thus coming to a conclusion in direct opposition to the decisions of two Superior Courts of Ontario. The subsequent proceedings in this matter will be in the recollection of hon. members of this House. In the same session (1876) an attempt was made to amend the Bill introduced in the first place by Robert Campbell in the direction of granting relief to the wife, and giving her alimony and custody of the children. It will be remembered how that matter was allowed to stand over until the following session, when the House actually passed that Bill, although it was subsequently rejected in the other branch of the Legislature. We have now before us a Bill for the separation of Mrs. Campbell from her husband, but it is coupled with extraordinary provisions for alimony and custody of children; and it is especially with reference to these clauses of the Bill that I am sure it is the wish of many members of the House that the matter should be at once referred to the Supreme Court for their decision, to ascertain whether such matters are within the jurisdiction of the Parliament of Canada. In the session of 1877, a motion, very much the same as the one I now make, was submitted by the hon. Senator from Richmond, who, at a certain stage of the proceedings, proposed that the bill (amended so as to grant the same relief that is now sought) which was then before the House, should be referred to the Supreme Court for a decision as to its constitutionality. Unfortunately that motion was made after a long and tiresome, and, I am sorry to say, a most unpleasant discussion had taken place on the facts of the case. The Senate was thoroughly sick of the whole thing, and the motion was negatived without a single word being said for or against it. However, I am sure that the House now wishes to proceed in a proper and perfectly constitutional way, and be satisfied whether they have the power to grant such a separation as is asked for by Eliza Maria Campbell, coupled with provisions for alimony and the custody of, and maintenance for, her children. I myself think that although divorce includes what may be called the more important as well as the less important divisions of the subject, yet that, with the settlement of those two classes of divorce—*a vinculo* and *a mensa et thoro*—the jurisdiction of the House ends. I do not think that alimony is an incident to matrimony, in such a sense as to give us jurisdiction in regard to it. On the contrary, I think that the subjects of alimony and custody of children come clearly under the head of civil rights which, as we well know, are purely and simply subjects of legislation for the different provinces of the Dominion; and I think further, that the decree of a court of competent jurisdiction in any one of the provinces, or the statute, granting alimony is an appropriation of the estate and property of the husband, which comes clearly under the head of civil rights rather than of marriage and divorce. I am glad to be able to say that I am supported in the view I took of this matter by the highest legal authority in the Dominion—a legal adviser of the Crown. Now every province of the Dominion has courts in which such matters are decided, and in Ontario itself the law supplies ample means of deciding applications for alimony and custody of children. Some of the provinces, however, have no divorce court proper, and this is notably the case in Ontario, and hence, unfortunately, has arisen the necessity of appointing this Parliament a tribunal for the decision of divorce cases. In the present case the wife has already applied to the proper Court in Ontario for the relief which she has come to us to obtain, and that

relief has been denied to her on the ground of her own adultery. Nevertheless, she comes here in the hope that we shall exceed the bounds of our jurisdiction; that we shall reverse the decision of the Court of Chancery in Ontario, which has already pronounced a judgment upon the matter; that we intend to place the Senate of Canada in the position of a Court of Appeal from the decisions of the Courts in the several provinces; and in the hope that we shall grant her the relief of which those Courts have already declared her to be unworthy. I trust that we are not going to so commit ourselves lightly. I trust that we shall fully recognize the importance of not doing anything which may hereafter be shown to be in excess of our power—to be *ultra vires*. On the contrary, I trust that the House, forgetting all their sympathies in this matter—forgetting, if they possibly can, the interest they have felt in the petitioner, and the conviction at which they, perhaps, have already arrived—will listen carefully and calmly to the arguments pro and con in this matter which may be advanced by gentlemen who are more competent to deal with it than myself, and to whom I now leave the consideration of the question. I beg to move, seconded by the Hon. Mr. Penny, in amendment to the motion before the House:

"To leave out all the words after 'be' and insert 'referred to the Supreme Court for examination and report as to the right and power of the Parliament of the Dominion to pass such a bill, and more particularly as to the power of Parliament to pass the clauses relating to alimony and the custody of children, and that a Special Committee, to be composed of the Honorable Messieurs. Campbell, Dickey, Reesor, Flint and the mover, be appointed to draft the order of reference and report the same to this House,"

Hon. Dr. CARRALL—Although it may appear presumptuous on my part, not having the legal education or acumen which the hon. gentlemen who oppose this Bill have brought to bear in support of their arguments, to take part in this debate, still I think I hold in my hands authorities sufficiently reliable to refute the arguments of my hon. colleague from British Columbia, that this Bill should be relegated to the Supreme Court for an opinion as to whether this House has jurisdiction in this matter. There seems to be in the English mind, which pervades to some extent this chamber, a desire for precedents. Somebody must have made a precedent to give birth to a precedent, or a precedent could not exist, and if we have no precedent for doing justice in a matter of this kind we should make one. I look upon it as unwise to relegate our power and prerogative to the Supreme Court, as we are the law-makers, not the judges of the Supreme Court, who I cannot compliment on their promptitude in rendering their decisions on cases submitted to them. I do not venture to say that they carry their political leanings beneath their judicial robes, but the fact remains that when questions affecting political elections come before them, months are allowed to pass without decisions being rendered. I do not think it is wise to relegate this Bill to the Supreme Court, and I shall oppose, with all the force of my character, any such reference, in the full conviction of the justice of this lady's demand, of her virtuous character, and of the complicity of her husband's friends in one of the most villainous, infernal, foul, low and cowardly conspiracies which it has ever been my lot to have cognizance of. I shall now simply quote from Todd, to show the authority we have to deal with this question. I do not appeal to your sympathies to vote with me against this reference to the Supreme Court, as I only speak my convictions when I say it is a dangerous precedent for us to abrogate any of our authority; we are the fountain source of the law, the Supreme Court is simply the executive of that law. I do not presume, for a moment, that my utterance will alter a single vote in this House on this question. I feel that every hon. Senator, having the honest intention to act in a judicial spirit, when appealed to, will not reject the petition of the unfortunate victim of a vile, low bred conspiracy that has been entered into by a man who forcibly expelled his wife from his house without giving her anything to support her. If the Bill should be rejected, it will not be entered upon the journals of this House that Dr. Carrall has been a consenting party thereto. I shall say further that I consider it is time the Government should give their attention to the establishment of a divorce Court for the Dominion, and I hope they

will consider it their duty to bring down such a measure next session. I do not, by any means, wish to increase the facility for divorce; I am not a married man; I am not going to get married, as I don't believe in it, but there are cases of hardship which require relief, and I do not think such persons should have to press their claims before a tribunal like this, which has shown itself to be unsuited to deal with matters of this kind. I shall now quote the authorities to which I referred:—

OTTAWA, April 18, 1879.

"'Parliament,' says Sir Edward Coke, in his Institutes of the Laws of England, 'hath sovereign and uncontrollable authority in the making, confirming, enlarging, restraining, abrogating, repealing, reviving, and expounding of laws, concerning all matters of all possible determinations, ecclesiastical or temporal, civil, military, maritime, or criminal.'

"'The legislative power, of the Parliament of Great Britain,' says Cushing, in his Lex Parliamentaria, 'is unlimited and absolute.'

"This is the origin and source of the power exercised by the Imperial Parliament, from a very distant period, of passing bills of divorce.

"In the enacting of such bills, Parliament has had no limit to the exercise and application of its powers, to particular cases, save only its own discretion.

"It is true, that by Standing Orders of the House of Lords, it is declared that the House will not proceed upon a petition for a divorce bill, unless proof is given that proceedings had been previously instituted in a court of law, and a sentence obtained, against the guilty party. Also, that no bill of divorce shall be received, unless it contain a clause forbidding the offending parties to intermarry. (Standing Orders of the Lords, Nos. 171, 172, 183).

"But it is purely in the discretion of the House whether or not to insist upon a compliance with these rules; and repeated instances can be cited wherein the House of Lords has thought fit to dispense with them. (See Cushing, p. 970, and Lords' Journals, *passim*).

"In 1857, by an Act of the Imperial Parliament, a Divorce Court was created in England, which tribunal was empowered to entertain and decide finally on all applications for divorce, without the necessity for an appeal, in individual cases, to Parliament itself.

"But this Act is limited in its operation, and does not extend to Ireland, India, or the Colonies. Consequently, persons beyond the jurisdiction of the Court, are still at liberty to apply to the Imperial Parliament for relief, and Parliament retains its ancient jurisdiction, in all cases out of England, and is therefore competent to grant such applications. (See May's Practice. Edition 1873, pp. 689, 808).

"In the Colonies possessing local self-government, it has always been competent for the local legislatures to pass bills of divorce. By the Royal instructions, however, Colonial Governors are required to reserve such bills for the consideration and approval of the Crown. This is not done because the Colonial Legislature is incompetent to afford the relief desired, but because the effect of dissolving the marriage tie really extends, and is intended to extend, to all places and countries, and is not merely confined to the colony wherein the bill was enacted; and, furthermore, as a security against any such bill containing any superfluous or unconstitutional provisions.

"But by the British North America Act, 1867, Section 91, the right to pass bills in relation to 'Marriage and Divorce' is expressly conferred upon the Parliament of the Dominion, and these are declared to be subjects upon which the Parliament of Canada has 'exclusive legislative authority.'

"This clause in the Imperial Statute has rendered it unnecessary for the Governor-General to reserve 'divorce bills,' passed by the Dominion Parliament, for the signification of Her Majesty's pleasure thereon. And although, in point of fact, such bills have been so reserved, from 1867 until now, yet this has been done merely in compliance with the letter of the Royal instructions, which, in this respect, needed revision and alteration. This alteration they have at length received, and by the new and amended instructions, issued to the Marquis of Lorne upon his appointment as Governor-General, it is no longer required that divorce bills should be reserved for Imperial consideration.

"It follows, therefore, that the Parliament of this Dominion possesses, under the British North America Act, ample and sufficient powers to deal with marriage and divorce, and with all legal questions growing out of the marital relation, at their sole discretion, subject only to the Queen's prerogative of disallowance.

ALPHEUS TODD.

Hon. Mr. DICKEY—It seems to me that the exhibition which we have had this afternoon may possibly prove the strongest argument in favor of erecting a court for the trial of divorce cases. I do not propose to imitate the example of either of the hon. gentlemen, and go into the merits of this case. The course which has been taken is exceedingly inconvenient, and I might say irregular, because the motion which has been submitted in amendment to the House has nothing whatever to do with the facts of the case which have been gone over by the several speakers *ad nauseum*. We are prejudging the whole thing, and we are ante-judging it, too, when we go back three or four years, and enter into the details of what was brought out before the committee three years ago. I

think it is a pity that the question before the House should be encumbered by considerations of this kind, because after all, what does it amount to? Simply a reference to the Judges of the Supreme Court on the ground that the Bill is not within the competence of this Parliament. After consideration, I do not hesitate to say that I have a very strong opinion on the subject, and I think it would be right that I should express that opinion to the House. But, before doing so, I should like to refer for an instant to the singular position in which we are placed by the hon. Senator from British Columbia, (Mr. Cornwall), stating from his place in this House that he has the authority of the highest legal adviser of the Crown for the course he is taking. I believe that is what he said.

Hon. Mr. CORNWALL—I said so and I say it again.

Hon. Mr. DICKEY—I say that it is not respectful to this House for the hon. gentleman to quote the opinion of a member of another place, and that member a high officer of the Crown, with a view to influencing the action of this House. Then, on the other hand, we have had the opinion of a gentleman who has often been spoken of in this House, one of our own officers, as being one of the highest authorities on constitutional law. We have these conflicting opinions, and, after all, what do they amount to? They are mere matters of opinion. I would be doing an injustice to the Minister of Justice, (for, I suppose he is the "legal adviser" spoken of) if I were to accept that as his opinion, because I do not know what his opinion is, and I do not know whether that opinion is supported by the other authorities, perhaps, equally eminent, in the Department of Justice. But, after all, what has that to do with the question here? We have the British North America Act before us, and that Act gives us exclusive jurisdiction over marriage and divorce. It is needless iteration to say that there are two classes of divorce, one from the bonds of matrimony, and the other from bed and board. As incident to the latter, you have the question of alimony and custody of children. This amendment, as proposed, takes the question out of the jurisdiction of this House, and makes it one merely of civil rights. I have no hesitation in expressing my opinion upon that point. I think that the question of alimony and custody of children are incidental to the authority given in questions of divorce *a mensa et thoro*, and, therefore, it is no objection to the legislation proposed, that it incidentally refers to these civil rights arising out of the marital relation. We can hardly refer to any subject over which this Parliament has exclusive jurisdiction, without finding ourselves involved to some extent in the question of civil rights. It is only in that sense that the question of alimony and custody of children is incidental to marriage and divorce. We have had occasional applications for these references to the Supreme Court before. There was a case, some years ago, in the reference of the Christian Brothers' Bill. It was contended on one hand that it was a Bill which was within the competency of this Parliament, on the other that it was a Bill which was exclusively local in its character, and with which this Parliament had nothing to do. I had a very strong opinion upon that point, and, on that occasion, had the misfortune to differ from some of my hon. friends in the legal profession, for whose opinions I have the highest respect. But the majority of this House sustained the view taken by myself and the hon. Senator from Fredericton, who made the motion for the reference of the Bill. The House, feeling that it was a measure which did not belong to this Parliament, ordered the reference of it to the Supreme Court, and it turned out that the majority of the House were right, because, when the opinion of the Judges came down, it was seen that it was clearly a question which related to education, and, therefore, came exclusively within the jurisdiction of the Local Legislature. We have a precedent here, in this Divorce Bill in 1877, when it was the deliberate judgment of this House that this was not a Bill which ought to be referred to the Judges of the Supreme Court for their opinion. We have another case—not a divorce case—but an analagous one in a question which was raised here only last session. It was the case of the Bible Christian Society. On that occasion the order of the day being read for the second reading of the Bill, Hon. Mr. Bellerose moved an amendment that it be referred to the Supreme Court for their decision as to

the question of jurisdiction. After debate, the amendment was, by leave of the House, withdrawn. The hon. gentleman found that the sense of the House was clear that it was within our jurisdiction, and instead of pushing the matter to a division, he somewhat reluctantly, but very properly, withdrew his motion. I only quote this case for the purpose of showing that it is entirely within the option of the House whether they make this reference or not. The words used in the rule here, "if the House think fit" reference shall be made. I have taken the trouble to look at the clause in the Supreme Court Act, which I find to be entirely permissive, not obligatory. Our standing rule, No. 55, follows that. It seems to me that this is a case in which we can have no doubt as to our jurisdiction. If I had the smallest doubt, I could certainly go with my hon. friend who has moved this amendment, and have that doubt solved. But it would be extremely inconvenient if now, for the first time, we proposed to reserve such a question for the decision of the Supreme Court Judges. It seems to me that we shall be abdicating our functions if we should yield to the motion which has been made, especially when we remember that the effect of that motion, if successful, must be to postpone the relief for which this woman asks for another year. Without asserting that the motion is intended for that purpose, I am justified in saying that the effect of it would be to deprive the petitioner of the relief which she seeks. Under these circumstances, I think that the House would be disposed to let the Bill be read the second time, to enable the hon. mover to show that he has complied with the rules of the House, and to refer the Bill to a committee. I find that the rule which has been quoted has been altered. As it stood first, the reference could only be made at the second reading. As it stands now the House may, at any time, if they think fit, order the reference. The Bill may come back to us from the committee without these provisions for alimony and custody of children. But, if it should come back in the same shape that it is now, it will be open to any hon. gentleman at any stage of the Bill to move its reference to the Supreme Court Judges.

Hon. Mr. CAMPBELL—I am obliged to differ from my hon. friend from Amherst. I think there are grave doubts as to the jurisdiction of the Dominion Parliament to pass this Bill as it is framed. I am quite content that a divorce should take place between these two persons if Parliament so please, but I doubt very much, when the Bill goes beyond that, and provides for the custody of children and alimony, it proposes an action which Parliament has not a right to take, and for the reason which has been given, that it is an interference with civil rights, which belong to the local legislatures. In the Province of Quebec these separations are granted, and the law in that province makes provision as to what is to be done with the children and the property, how much the wife is to have, and who is to have the custody of the children. It is true there is no provision in Ontario for granting such separations, but the courts are open there and have ample power—as regards alimony and the custody of children, the same power indeed as exists in Quebec—to decide what shall be done with reference to these points in these unhappy disputes. The courts in the other provinces have similar power, and also power to grant divorces, and I ask what authority or right has this Parliament to step in and say that we shall override these courts? The laws of the Province of Ontario, or Quebec, or Nova Scotia, or Prince Edward Island, may make certain provision for the custody of children, and the allowance of alimony under certain circumstances. Under what pretence shall this Parliament over-ride those local laws? Under what pretence shall we say, with the very poor and indifferent machinery we possess, wha shall be done with the children, and wha[t] alimony shall be allowed? I cannot conceive of anything which will more seriously interfere with those local rights which it is the aim and object of the constitution to preserve. If Parliament can interfere in this way, it can over-ride the decisions of the law courts under any circumstances. Suppose, for instance, that some railway contractor should be defeated in a local court, and that he thought he had sufficient influence in Parliament to get a bill passed to over-ride that decision, there would be no difference between such a case and this, so far as these objectionable clauses are concerned. If the Parliament ought not really to pass

these clauses, it makes no difference that they are appended to a bill of divorce. That gives Parliament no right to deal with a subject which would otherwise be beyond its jurisdiction. Now, is it given by the Constitution? I think not. The Constitution says that this Parliament shall have the exclusive right to deal with questions of marriage and divorce, and they are put that way antithetically—marriage and divorce co-relatively—meaning, it is contended very forcibly, that it is a divorce *a vinculo* only which this Parliament shall have power to grant. I submit that there are doubts, and very grave doubts, whether we have a right to pass a bill to grant a separation from bed and board, and whether our rights are not confined to granting divorces *a vinculo*. That point was raised by my hon. friend from DeSalaberry. I do not say that I concur entirely in his view, but I think it impossible to deny that grave doubts exist about it, and those doubts do deserve enquiry, and the House in my humble judgment, would be rash to proceed to legislate without having those doubts solved by the provision which the law makes, of submitting them to the judgment of the Supreme Court. If there are doubts in that direction, there are doubts still more grave, and in which I concur more strongly, as to the custody of children and alimony. In my judgment, to pass such a bill as this, is interfering with the ordinary administration of justice. The ordinary courts of law in Ontario, and I believe in every other province of the Dominion, have the right and the power, and with facilities and knowledge and experience to which it would be absurd to compare any machinery we have, to deal with these questions. In this very case, indeed, the wife has sought for and been refused alimony by one of the courts of Ontario, and shall we now, by act of Parliament, say to the husband, that he shall be liable to a certain sum of money which the ordinary courts of the country have refused to impose upon him; and not only he shall be thus singled out, but that the exaction of this sum of money shall be surrounded by certain machinery—not the machinery of the law, but machinery specially devised for this case, and under which the man will be consigned to jail until he pays? Now, the ordinary law imposes no such penalty on the non-payment of money. Imprisonment for debt is, and stands, abolished, but this Bill provides that the husband shall be exposed to this punishment. I ask, would not this be a most dangerous and arbitrary course to take? Would it be an example which we should set to the local legislatures? Have we not seen in the Legislature of Ontario an interference which is repugnant to every principle of justice and right? I allude to the Bill passed in the Ontario Legislature changing a man's will and declaring that some of its provisions were unwise and altering them. There is a case in which the legislature interfered with the ordinary course of law and made arbitrarily that to be law which was not the ordinary law of the country and which was not the law that affected Her Majesty's subjects generally. Now, this proceeding would be of the same character, as I humbly conceive, and would be asking this Parliament to pass a Bill separating these two persons, (to which, if we have the power, I have no objection if a committee of this House should think sufficient cause for it exists), but would go still further and say what should be done as regards alimony after a court of law has decided upon that point, and what should be done with the children when there are courts of law which have the right to decide that point. That would be a most dangerous thing for us to do. It would be an interference with the ordinary course of law, an interference arbitrarily and by mere force of power, and an interference with reference to a particular case and a particular individual. It has been said that the whole object of the British Constitution, and all that is done by Parliament is to "put twelve men in the jury box," and what for? To administer even and common justice to everybody; not one right to one man and another right to another man—but to all the same law. Surely it is safer, and more wise to let the ordinary tribunals of the country pronounce their judgments based upon laws which shall pervade the whole country, upon matters admittedly within their jurisdiction. If you pass this Bill you can over-rule the decisions of the courts of each province of the Dominion, on questions regarding matters clearly within their jurisdiction. Now, could anything be more dangerous? Could anything be more opposed to the course which

the country expects from the highest legislative body in the land, more particularly this House? Are we not more especially charged in this House with the duty of seeing the law administered to everybody on equal terms, and should we not be careful above all things not to exceed the jurisdiction which the law gives us? When a proposition is made to submit this question to the Supreme Court Judges for their opinion on the question of jurisdiction, we should not hesitate one moment. But, we are told, this case would be delayed. Is it not far better that this, and a hundred such cases, should wait, not for one session merely, but for five sessions if necessary, rather than we should go one iota beyond the law? When the hon. Senator for Amherst says, I have no doubt in all sincerity, that there is no question as to our jurisdiction, I speak with the same sincerity and say that I have the gravest doubts, and with reference to the two last points my doubts are almost more than doubts. I do not believe that we have the right. I believe that they are civil rights which ought to be dealt with as, in fact, they are dealt with, day by day, in the several provinces of the Dominion — Quebec, Nova Scotia, New Brunswick, Prince Edward Island, and, occasionally, Ontario; and, therefore, we should be slow to interfere. We should hesitate, and, if this Bill is to pass at all, it should not pass until we have had the fullest opportunity of satisfying ourselves that we are right. That we make haste slowly is nothing in comparison to the duty which is imperative upon us of going safely. My hon. friend from Amherst says that it is only permissible to refer it to the Supreme Court. Certainly no one has contended that a reference was compulsory, and that is why the House is asked to do it. It is permissible under the Act constituting the Supreme Court, and under our own rules. My hon. friend, (Mr. Cornwall), made some reference to the opinion of the law officers of the Crown. I don't know what authority he had for that, but, if such be their opinion, I cannot see the least harm in saying that such was their opinion. I do not propose to go into the merits of the application for a divorce itself. I have confined myself as closely and as tersely as I could to the question, whether it is not wise and prudent to refer the matter to the Supreme Court before going any further.

Hon. Mr. DICKEY—I was aware that my hon. friend entertained strong views, and had given utterance to very strong opinions on the subject, but I was not prepared for the argument he has made to-day, supported by the singular statements to which we have just listened. He relies most strongly upon the argument that we might just as well try to set aside a decision of a divorce court in Nova Scotia and Prince Edward Island as pass this Bill. My hon. friend knows perfectly well that in every one of the old provinces of the Dominion except Ontario we have divorce courts.

Hon. Mr. CAMPBELL—I used that argument with respect to alimony and custody of the children where the courts have jurisdiction in Ontario.

Hon. Mr. DICKEY—My hon. friend knows perfectly well that in the House of Lords, which is our exemplar in this matter, before the erection of the Court of Matrimony and Divorce, the House did take cognizance, as we do now, of divorce of both kinds, and granted alimony when they thought fit, but as soon as there was a Court of Divorce erected they declined to take cognizance of such things.

Hon. Mr. CAMPBELL—I do not dissent from that, but I maintain that they did not grant alimony.

Hon. Mr. DICKEY—I think they did; but, if they did not, it was because another tribunal could give it. It has been stated here over and over again that we have had no precedent for this application. Nobody appears to take cognizance of the fact that we have not had a case of divorce from any province of the Dominion where there was a court of divorce. It is simply a matter of necessity for this woman to come to this Parliament. My hon. friend talks about the decisions of the courts. We have not been told that there was a decision the very opposite on this same case last summer. Does it follow that the course of justice is to stand still merely because there has been unsuc-

cessful litigation somewhere else? But the point is this: there is no court in Ontario which can take cognizance of this case. My hon. friend goes so far as to say that no person can come to this Parliament for relief in the Province of Ontario except for a divorce *a vinculo*.

Hon. Mr. CAMPBELL—I said that the hon. gentleman from DeSalaberry had taken that position, and that I had doubts about it, though I did not go the length that he did.

Hon. Mr. DICKEY—But my hon. friend's argument would go that far. His argument is based upon this: that the clause in the British North America Act relating to divorce, relates exclusively to divorce *a vinculo*, and he says that it has been suggested, and he has grave doubts upon the point himself, whether this Parliament has power to grant a divorce *a mensa et thoro*. If we are to adopt this view, in the great Province of Ontario there can be no such thing as relief given to a woman *a mensa et thoro*. She must be a prisoner for life because there is no tribunal there to grant it. Now, it is hardly worth while to discuss that question any more, because it speaks for itself. I was surprised that the hon. gentleman should import the Goodhue Will Case into this debate. It is really throwing dust into our eyes to dwell upon Ontorio private legislation as bearing upon this case. We have heard those arguments before. They have all been heard and decided upon, and my hon. friend was left in a minority, on a former occasion, as I trust he will be again, not because of the merits of this Bill, of which I desire to say nothing, but because I hope that this House will be careful before it expresses a doubt as to the soundness of the principle which it has acted upon for the past twelve years.

Hon. Mr. MILLER—My hon. friend suggests that it is a proof that one is wrong when he is left in the minority. While I have the greatest respect for a majority—I am not at all certain that there have not been cases where the minority have been right in this House. During the past year or two I have had occasion to express my opinion upon this subject. It is no secret to the House that upon the general merits of the application of this woman—and I do not intend to go into the merits of the question in detail—and, indeed, I would not have referred to them at all if they had not been introduced into the discussion somewhat irregularly—I have entertained an opinion in favor of Campbell and against the contention of his wife. On the other hand, I readily admit that my opinion may be wrong, and I have the greatest respect for the opinions of a majority of this House, which has, on more than one occasion, pronounced an opinion to the contrary. I am, however, desirous, whatever may be my views with regard to the merits of this application, that the House should not adopt any course which would be unconstitutional, which would be *ultra vires*, and which would tend to bring the proceedings of this House into disrepute. I must say that I agree with the hon. leader of the Government in this House, that there is room for doubt as to the jurisdiction of this House in relation to all the clauses of this Bill. When that question has been discussed, as it has been on one or two occasions before now, it did not come fairly before us, because I know that so far as I was concerned myself, I was influenced in the vote I gave against Mrs. Campbell's application, on the ground, among other reasons relating to the merits of her case, that it was irregularly brought before the House. The husband had petitioned for a divorce. That divorce had been irregularly turned into a divorce for the wife, without any of the preliminaries which the rules of the House require having been complied with, and it was partly on these grounds that I opposed the Bill which was brought from the Committee in favor of Mrs. Campbell two years ago. Now, these grounds do not exist on the present occasion. Mrs. Campbell's application has come regularly before us, and the first question that arises on the second reading of the Bill is, whether we have the power to grant the relief which she claims. I must say I am not over positive in the opinion that I am going to express, but I have given the subject some reflection, and I am inclined to believe that this House has the power to pass such a Bill as is now before it. The argument was used—and it was the strongest argument given on previous occasions—that the question of alimony

having been given by statute to the courts of the Province of Ontario, it thus became a subject which belonged to these courts, and over which, in consequence, the Parliament had been ousted in its jurisdiction. Now, there appeared to be a great deal of force in that contention, and I am free to say in the present instance, and in all similar cases, I would prefer, if divorce is to be granted to this woman, that she would go to the courts where they have power to deal with such matters, for alimony and custody of children, and where, I am sure, they would deal with it more in accordance with the principles of law and equity than this Parliament can do. A court constituted for such purposes would arrive at much more sound conclusions in a case involving law and facts than a tribunal like this House. But that is not the point which we have now to consider. The point is whether this Parliament has the power to deal with this Bill as it is presented to us. In considering this inquiry you have some complications of the subject necessarily to keep in view, in consequence of our Federal constitution. One hon. member read a long extract which had been given him by a gentleman for whose opinion on such questions we have the greatest respect, stating the practice and powers of the British Parliament before a divorce court was constituted. But the House will reflect tthat in most essential elements there is no analogy between the powers of this Parliament and the Parliament of Great Britain. The Parliament of the Mother Country is a sovereign parliament, with undivided authority. We are a parliament with only such powers and functions as have been giver to us by the Union Act, and it therefore follows that the powers exercised by the Imperial Parliament do not belong to this Legislature unless expressly vested in us by our constitutional charter. A part of the legislative functions of the people of this country are vested in the local legislatures, a part in the Parliament of Canada; and, while in England, where the whole legislative authority is a unit, that Parliament might exercise the power to do an act such as the passing of a Divorce Bill *a vinculo* or *a mensa et thoro*, or anything incident to such an act, we might not, in consequence of the division of our authority, be in a position to do so. Then, again, there is another distinction, and an important one, which is necessary to consider, and that is the question of civil rights. Under the British North America Act the legislation in regard to civil rights is given exclusively to the local legislatures, but it cannot be controverted, I think, that when the Parliament of Canada has exclusive power to deal with any subject of legislation, that so far as it is necessary to deal with civil rights in connection with such legislation, we have the undoubted power to deal with them, where this Parliament has the right to legislate on any subject it must be considered that we have the power to legislate regarding all matters incident to that subject. Take any one of the numerous subjects over which legislative authority is given to this Parliament by the British North America Act. Take the subject of insolvency and bankruptcy. It cannot be denied that Parliament, in dealing with the subject of insolvency, has dealt with the civil rights of the subject in the most unlimited manner. Therefore, it must not be supposed that where this Parliament has power to deal with a subject, it has not the power to deal with civil rights, as incident to that subject. Some hon. gentlemen contend that this application is only sustainable as coming from Ontario. I contend that an application of this kind is sustainable coming from any province of the Dominion.

Hon. Mr, DICKEY—I said repeatedly that I would be no party to a bill of divorce from any province where there was a divorce court

Hon. Mr. MILLER—The existence of divorce courts in any of the provinces does not lessen the absolute control of Parliament over matters relating to marriage and divorce. We have divorce courts in Nova Scotia, New Brunswick, and Prince Edward Island, and there is a court in Ontario for granting alimony to a party separated by divorce *a vinculo*, or *a mensa et thoro*, or without any divorce. We have a court in Ontario with power to deal with that question, it is true, but it must be recollected that since the establishment of these various tribunals in the different provinces, the whole legislative power, the

whole functions of the government of this country have been remodeled anew, and under the British North America Act this question has been given absolutely to the control of this Parliament. It is true that by that Act, these courts are allowed to maintain their concurrent jurisdiction on this question until the Parliament of Canada deprives them of it. But we could abolish all these tribunals at any moment by an act of Parliament. Is it not, therefore, absurd to say that if we have the power by act of legislation to sweep out of existence the divorce courts of the provinces, and deprive them of all their authority respecting the subject of marriage and divorce, that we have not the power to deal with the whole subject and its incidents under the terms of the British North America Act? I think there cannot be very strong doubts that we have the power. Marriage and divorce, and every thing which is incident to marriage and divorce, as a logical sequence and corollary, are within our jurisdiction. What then is alimony? It is maintenance after the separation of the husband and wife. It is an incident of the contract of marriage. So control of children is also a right growing out of the same contract; and, therefore, being incident to the marriage relationship, belongs to the jurisdiction of this Parliament. As, however, there are conflicting opinions with regard to the jurisdiction of this Parliament to deal with this question, is not the course suggested by my hon. friend from British Columbia, the wise and proper one to adopt? Hon. gentlemen have said that we should not refer this question to the Supreme Court, because it would be parting, to some extent, with our legislative functions, but the Parliament of this country did not think that we would be doing anything derogatory when we passed the law authorizing such a reference. I do think, therefore, that this is one of those cases in which we ought, with due regard to our own position, and in reference to the conflicting opinions which we have heard from eminent authorities on both sides, seek some authoritative exposition of the question, and the only way that it can be done is by a reference to the Supreme Court. The objection has been raised that it will end in the defeat of the Bill for the present session. I see no grounds for coming to such a conclusion as that. Hon. gentlemen will recollect that on one previous occasion when a bill was referred to the Judges of the Supreme Court, for their opinion with regard to its constitutionality, we had the answer back in a few days after its reference; and I see no reason now why the same expedition would not be used if we intimate that it is desirable to have a decision as soon as possible. These are some of the reasons why I support the motion of the hon. Senator from British Columbia, and I do hope that the House will consider the question in good spirit, and with less feeling than has marked our deliberations on this subject on former occasions.

Hon. Mr. TRUDEL.—Having had the opportunity of laying my views on this question before this Honorable House on a previous occasion, I had not intended to speak on this subject, but some remarks of my hon. friend from Richmond call for an answer; and my hon. friend from Amherst made some statements which I cannot allow to pass without a reply. In fact I would be to a certain extent inclined to vote against the motion of the hon. Senator for British Columbia, but for different reasons from those expressed by my hon. friend, (Mr. Dickey), and the reason is that to my mind there is no doubt that we have no jurisdiction in this matter. I would not take such strong ground if the opinion which I entertain were not the opinion of, I may say, most of the legal gentlemen in the Province of Quebec. The question having been raised in a former debate, I had occasion to call the attention of the legal gentlemen of my province to it, and since then to obtain the expression of their views, and I repeat, that so far as I could ascertain their opinion, they were unanimous in believing that we have no jurisdiction. My hon. friend from Richmond thinks otherwise. Perhaps he did not take into consideration the fact that the affirmation of such a right would involve the right to repeal the legislation of the different provinces on this subject. If we have a right to pass this Bill, it necessarily follows that we have the right to repeal the laws of the Province of Quebec on these matters of judicial separation, and also similar laws in other provinces. My hon. friend says that all matters incidental to marriage and divorce will neces-

sarily fall under our control. This is going very far. It would mean that this Parliament has a right to deal in matters of heirship, successions, paternal authority, minority, tutelage, etc., all of which necessarily follow directly from marriage. My hon. friend would propose with one blow to destroy the whole jurisdiction of the provinces. I heard with the greatest respect and attention the opinion of the leader of the Government in this House, but I must say that the strong doubts which he has expressed on these clauses are not shared by me. To my mind it is as clear as day-light, that by the 26th sub-section, by which marriage and divorce are reserved to the Federal Government, is meant only the dissolution of the marriage tie *a vinculo*. When the question was raised, on a previous occasion, I had the honor to cite to this House what I considered at the time a very important matter—an expression of opinion which I found in the Confederation Debates. Nobody can read the debate which took place on this question without coming necessarily to the conclusion that these reservations, made in favor of the Federal Government, were intended to bear only on the question of the marriage tie. I cited the opinion of the Government of the time, as laid down by the Solicitor-General, when he explained to the House of Assembly that this was the meaning of the clause. My hon. friend from Amherst has expressed the opinion that this clause gives us exclusive jurisdiction in all matters of alimony and custody of children, because they are accessory to marriage and divorce. I would ask my hon. friend how he can contend that the House has the accessory rights when the principal is wanting; because it is an action of law that the accessory follows the principal, and when the principal does not exist, there is no accessory. I am, myself, of opinion that this House, if it has the right to dissolve the marriage tie, (a right which is given by the British North America Act, but which I do not admit in principle), has the right to deal with the consequences of this Act; to deal with the question of alimony, and care of the children, because that is accessory to the severing of the marriage tie, and it is sound legislation. But the hon. gentleman will remember that this House, and the committee which was appointed the previous session, declared that there was no ground for dissolving the marriage tie, and therefore the accessories of such a Bill disappeared with the principal. An allusion was made to the Christian Brothers' Bill. I recollect that my hon. friend from Laval, (Mr. Bellerose), and I had occasion to express some opinion on the subject at the time, but our opinion expressed at the time, has not been correctly stated. We did not maintain that this House had clearly jurisdiction to pass such a Bill, but we said that on many occasions this House had dealt with such matters, and often against our opposition, and we said if we admitted parties in very similar circumstances to benefit by the legislation of this House, why should we deprive other parties of it. That was the ground, and the hon. gentleman will recollect that my hon. friend, the promoter of the Bill, (Mr. Bellerose), had copied, word by word, another bill passed by this House on a previous session, changing only the names of the parties, and that it was his strongest ground to advocate the passing of his Bill, but I recollect at the same time that I had very strong doubts as to our jurisdiction in the matter. Allusion has been made to the laws of Quebec, and it has been said that there are divorce courts in the several provinces, with the exception of Ontario; said courts having power to deal with matters of judicial separation. It would only follow that this would necessitate the passage of an Act by the Ontario Legislature to establish such a court for that province if it is required. I contend that we have no jurisdiction to pass such legislation in this Federal Parliament Nevertheless, if this House comes to the conclusion that they have such jurisdiction, I do not think that the wisest course would be to pass this measure, but that we should pass a general law to give to the courts of Ontario the right to deal with such matters as this. If the mover of this bill last year, instead of taking this matter before the House, had introduced a bill to give the courts of Ontario this power, the question of jurisdiction would then have been properly raised and decided, and we would not have to deal with this question of jurisdiction to-day. As has been stated, if we establish this precedent, there will be hundreds of such cases coming before us, and it would be better

to decide at once to give a reward of a thousand dollars to the petitioner of every bill for coming here with their cases, and it would be a much cheaper course than to constitute ourselves a court to try them. We have had to deal to-day with the payment of an officer who had to serve the document. What is that to the expense which will be involved in the cases which will arise if we establish this precedent. Would it be to favor parties who want separation that we should oblige them to come here from the extremities of Ontario, with their witnesses, when they have tribunals at their doors which can try such cases as that. As a matter of fact, in Quebec Province, we have not properly divorce courts. But these matters of separation *a mensa et thoro* are considered by us as matters of natural law, and it is considered as a principle of natural and common law, at the same time, that the husband is obliged to provide for his wife, that the father is obliged to provide for his children, and it is in conformity with those principles that our courts grant such separations. In 1866, these provisions of the natural law and the old French law were embodied in our civil code, but the origin of this law is as I have stated. Such matters are dealt with by our ordinary tribunals, our Superior Court, as a matter of ordinary civil rights, and not by any divorce court which does not exist in our province. Of course I do not pretend to interpret the law of Ontario, but the same natural law exists there, and the woman ought to have the right to seek for relief, and her husband be obliged to pay her alimony when she needs it. At all events, if this law does not exist, the legislature of the Province should enact one. If it is this Dominion Parliament which has the jurisdiction to pass such legislation, let us pass it. The reasons which hon. gentlemen who preceded me in support of the view that we have jurisdiction in this matter, did not convince me at all. But knowing the weight which should be attached to the opinions of such gentlemen, I believe that it constitutes a strong ground for referring the matter to the Supreme Court. Where there is such a conflict of opinion, we should be ready to abandon some of our own views, and let the Supreme Court decide the question of jurisdiction. I will ask the House whether the provisions of the 6th, 8th and 9th clauses of the Bill are not purely matters of civil right, and if such legislation will not come in conflict with the local legislation of the provinces? Will the petitioner be in a better position if this Bill is passed? If the Senate wishes to grant the relief that is prayed for, let us at once grant her alimony with the power to enforce our decision. But the Bill does not go so far as that. She will have to go before the courts of Ontario, and in this way, the course which she will be obliged to take will be complicated. It is clear, therefore, that it would be better to have general legislation on the subject. I have only one word to say in answer to the hon. mover of the Bill. He said that I had objected to the Bill on a former occasion, because it involved civil rights. That was not what I said. I stated that it was a matter of mere civil rights. I consider that we have jurisdiction in cases where civil rights are accessory to the subjects which we have power to legislate upon, such as bankruptcy, copyright, etc. What I have contended is this: that the question of breaking the marriage tie having disappeared from this case, and that being the question of our power, it becomes now only a question of civil rights, and as such, we have no power to deal with it.

Hon. Mr. MILLER—I find that the time occupied by the Supreme Court Judges in giving an opinion on the Christian Brothers' Bill was just one week. The Bill was referred to them on the 4th of April, and the opinion of the Judges was before the House on the 11th.

At six o'clock the Speaker left the chair.

AFTER RECESS.

Hon. Mr. KAULBACH resumed the debate. He said: I shall endeavor to confine my present remarks to the immediate question before the House—the reference of the case to the Supreme Court. After all that has been said on the question, and I have listened attentively to the debate, I fail to find that any precedent has been cited where a court of competent jurisdiction on the questions of civil rights, alimony, and the maintenance and custody of children, such as there is in Ontario, has decided

upon the facts of a case, and an attempt has been made by any Parliament to overrule that decision. It has been stated here that the Minister of Justice has given a decided opinion upon this subject adverse to the Bill before us. I consider that an important reason why we should refer this case to the Supreme Court. We find in this House that all the legal gentlemen who have spoken, with one exception, agree that the reference should be made. The hon. Senator from Amherst contends that the sovereign power of Parliament is beyond that of any other court. My hon. friend has failed to show an instance, even in the House of Lords, in which alimony, or custody, and maintenance of children has been granted in any case except in an action brought by the husband for a divorce a *vinculo*, and there, sometimes, it has been granted in consideration of the property of the wife brought to the husband. I cannot see that any case has been shown, even in England, where Parliament has ever taken upon itself to dispose of the property of the husband, except in such cases as I have mentioned, and it is not contended that we have equal powers with the House of Lords. This petitioner has applied to the courts of Ontario, and been refused everything she has asked on the ground that she has been guilty of adultery. In the case in the Court of Queen's Bench in Ontario, before Judge Galt, by her husband Campbell against Gordon for seduction of his wife, the jury awarded $1,500 damages, which verdict was not appealed from and stands a record of that court damnatory of the chastity of this woman.

Hon. Mr. BULL.—Is my hon. friend going into the merits of the case, or does he intend to confine himself to the motion before the House?

Hon. Mr. KAULBACH.—My hon. friend will see, or ought to see, that when courts of competent jurisdiction have refused her alimony and decided against her, the petitioner, over and over again, on the ground of her adultery, I contend that in such cases this House should pause, and honorable gentlemen should pause, before putting us in this position of having a conflict of authority between the proper courts for such purposes and Parliament. This is my reply to the interruption by the honorable gentleman behind me, I consider that this House is not properly constituted to try this case, and much less in a position to fairly deal with the case on its merits. We should wait and first of all find out if we have a right to act in this matter. I do not see the necessity for us to intervene in a hasty and summary way without knowing in advance if we have the right to act. There is another authority which I have had just now placed in my hands—the appeal from the Court of Queen's Bench as to the costs of this woman's counsel before Justice Wilson. He speaks decidedly against the action attempted to be taken in this House as *ultra vires*. He says:—

"I am strongly impressed with the opinion that the Senate has no more claim to award alimony, and to decide upon the custody of the children, than it would have to devise a scheme for the education of the children, or to fix the times and places the father should have access to them, or to appoint the form of religion in which they should be brought up. These are matters with which our tribunals are better calculated to deal, and, which I say without any reserve, they understand better than the Senate possibly can."

Then the learned Judge continues to remark on such a bill as the one before us in the following words:

"Such an enactment would, if my views of the powers of the Senate be correct, be disregarded by the Courts here. It would not be allowed to overrate the decision of any Court which has deliberately pronounced against the claim for alimony which the Senate seemed ready to grant."

Honorable gentlemen will not fail to remember that the case for alimony to which the learned Judge refers is the one brought by Mrs. Campbell against her husband in the Court of Chancery before Vice-Chancellor Blake. The defence set up by the husband was her adultery and there the learned Judge refused her alimony the same as she now asks us to give her, on the ground that the fact of adultery was proved against her. Then there is another important decision against this woman, by Judge Gwynn, in the Court of Common Pleas, upon a *rule nisi*, to set aside a verdict improperly obtained by her against James Campbell for slander. The Rule was made absolute. In that case the learned Judge refers to the case of Robert Campbell vs. Gordon, and says:

"That verdict reduced to judgment is conclusive upon the question of the guilt or innosence of the person accused of having committed adultery with the female plaintiff,"

Meaning Mrs. Campbell. And then the learned Judge in referring to her application in the Chancery Court, for alimony, says :

"The proceedings mentioned in the declaration to have been taken by the female plaintiff in chancery, against her husband for alimony, after a most patient enquiry, has terminated in a judgment adverse to the female plaintiff, and the result is that unless that judgment be reversed on appeal, it is conclusive as between her and her husband upon the question of adultery."

That judgment, hon. gentlemen well knew, was never appealed from, And, therefore, for all time to come that judgment stands a record of that woman's adultery—nothing now can wipe it out. Now, I think I have clearly shown that there are four courts which, to my knowledge, have deliberately decided this question. The judgment in every case was based upon the adultery of this woman, and in every case the courts have decided against the wife. It would be a dangerous precedent if we were to place ourselves in opposition to the courts of Ontario, the tribunals of competent jurisdiction which have properly decided this question. I think that the House should pause before taking up the Bill on its merits, which I do not intend to go into now, unless the motion of my hon. friend from British Columbia should fail, in which case I propose to show that the petitioner has no claim for divorce on other grounds beside those of adultery. The courts have decided against the wife, and we should hesitate to interfere in the matter until we have the opinion of the Supreme Court on the question. Therefore, apart from the merits of the case, I think it is advisable, and I strenuously urge that we should pause before taking any further action, or single out and place upon Mr. Campbell a liability which the laws of his country have not imposed on him, but, further, refused to impose. And it seems strange, indeed, that we should attempt to go further than the House of Lords which never reversed a decision of a competent court upon a question of fact. The provision in this Bill for allowance to wife and custody of children is a novel proceeding. No cases can be found to justify it. It is a step without a precedent, and a dangerous and improper usurpation of the rights and prerogatives of the courts of Ontario—and the Government should stop its progress—or, at least, express its views clearly and unmistakably as it seems the Minister of Justice has done, and as my hon. friend the leader of the Government in this House, has done today.

Hon. Mr. REESOR—Such frequent reference has been made to this case having been brought before the Courts in Ontario, that I cannot allow the motion to be put without replying to what has been said on that point. During the year 1878 application was made to a Judge of one of our highest courts in Ontario, to Chancellor Spragge, for a rule to enable the respondent in this case to part with certain real estate and bar dower of his wife. That rule was refused, and the Judge, in summing up the evidence which had been brought before him, speaks as follows:—

"The exemplification of judgment in *Campbell* vs. *Gordon* is not a matter of record affecting the petitioners wife, as she was not a party to that record; and there is no other evidence before me to establish the fact of adultery. The only other evidence on that point is that of the wife; and by her the alleged fact is denied. The affidavit of the husband does not establish the fact,—properly so—as he was not I assume personally cognizant of the facts; and his affidavit does not, any more than the decree itself, state that the bill was dismissed on the ground of adultery being proved against the wife, or that he had set up her adultery in his answer."

"My conclusion is, that there is not legal evidence of the fact of the adultery of the wife and in the absence of such proof, it is not made to appear that she has been living apart from her husband under circumstances to which the statute would apply."

Now, I think under the circumstances, when all the different actions in the courts were brought in review by the Chancellor, it is unfair for hon gentlemen to continue to press upon the House that the courts held the petitioner guilty of adultery. In regard to the matter of jurisdiction, Chancellor Spragge does not hesitate to give his opinion, in passing, as follows :

"By our British North America Act, exclusive authority is conferred upon the Parliament of Canada in, among other matters, 'marriage and divorce,' while, among the exclusive powers conferred upon provincial legislatures, is the 'solemnization of marriage in the Province.'"

"Proceedings are now pending before the Dominion Parliament, and, while they are so, it would be unseemly, and I think improper, to make such an order as is prayed for in this petition."

So we have the opinion of the very highest court to which the question has been appealed directly against the statement of my hon. friend who has just taken his seat. The order having been refused on this ground, a further appeal was made to the Vice Chancellor asking him to amend the judgment of the court, and declare Mrs. Campbell guilty of adultery. He heard the arguments and took two or three days to deliberate on the question, and positively refused to amend the judgment and say that Mrs. Campbell had been proved guilty of adultery, and that alimony had been refused her on that ground. We have first the Judges declaring Mrs. Campbell was not guilty of adultery, so far as the evidence and the judgments of the different courts go to show; and, further, that the jurisdiction lies in the Parliament of Canada in all matters of marriage and divorce. In its broad sense divorce includes *a mensa et thoro* as well as *a vinculo*. As to civil rights, I have already shown that they are involved in nearly every subject which comes within our jurisdiction. Our criminal laws involve civil rights. In the case of murder all the civil rights that a man has are taken away, because he is hanged. There is not one of the subjects on which we legislate that does not involve civil rights to a greater extent than the question of marriage and divorce, because when a woman marries, her rights are merged in her husband and, to a certain extent, are suspended. To ask that this matter be referred to the Supreme Court and to give up our own jurisdiction and acknowledge that we are not competent to deal with the question, in the face of the fact that every question within our jurisdiction involves civil rights to a larger extent than this does, would be, in my opinion, most unwise.

Hon. Mr. POWER—I think that almost every hon. gentleman feels that the case of Mrs. Campbell is a rather hard one. She has been kept dancing attendance on the Senate for a very long time, and a great many hon. gentlemen are very anxious that the lady shall be put out of pain in the pleasantest possible way. But we should remember the legal saying, that hard cases make bad law, and should not allow ourselves to be influenced by the peculiar circumstances of this case. It seems to me that, if there is any tribunal in the country which should be disposed to listen quietly and dispassionately to the legal arguments on both sides of such a question as this, the Senate would be that body. I regret to say, however, that the conviction has been forced upon my mind, that a great many hon. gentlemen do not look solely at the weight of the arguments on the two sides of the question. I believe that gentlemen of the mature years, which have fallen to the lot of most members of this House, have as warm sympathies as younger men are generally supposed to entertain; and I am very much disposed to think that in the present case the sympathies of the House are disposed to go rather further than the law would justify them in going, to assist Mrs. Campbell. I have tried to allow myself to be influenced as little as possible by personal feeling. It is much to be regretted that in this case the respondent has not taken steps to provide for the maintenance of his wife, and so prevent her coming here. I presume that that is the feeling of every gentleman in this House; but we must remember that when differences occur in families very bitter feelings are often excited; and the parties to these differences are not always guided by reason as much as they ought to be. The question which we have got to look at is simply this: whether, under all the circumstances, it is desirable that this matter should be referred to the Supreme Court, or to two Judges of that Court. The only reason which has been urged against that course is that the reference would take a very long time, and that it would have the effect of preventing the Bill reaching us in time to be passed this session. Some gentlemen are of opinion that the motion of the hon. Senator from British Columbia (Mr. Cornwall) is simply a kind of *ruse* to get rid of the bill for this session. I do not think so; and from my knowledge of the hon. gentleman, I do not believe he would be a party to such an attempt at all. I do not think that unworthy motives should be imputed to members of this House. I

think that the desire is simply that this House should be guided in the proper course in this matter. As was stated by the hon. gentleman from Richmond, some two years ago there was a reference of another case to the Supreme Court, and that reference only took a week. As the Judges are not at all busy at present, there is very little doubt but that we could have an early answer from them. One of the great objects in having such a chamber as the Senate is to prevent hasty legislation; and this House should be the last body in the country to set an example of undue haste in passing a measure. If by waiting a week we can learn whether we are proceeding constitutionally or not, I think it would be improper for us to proceed with this Bill hastily. For this reason, if for no other, I shall vote for the motion in amendment. I think it is hardly necessary, and it would not be becoming in me, after all that has been said on the legal aspect of this question, to enter into that at any length. It cannot be pretended that there is no doubt on that point. How can it be said that there is none, when half the legal gentlemen in this House say that there is a doubt? When we find a gentleman of the standing of Judge Wilson, of the Ontario Court of Queen's Bench, taking decidedly the view that this Legislature has no power to grant alimony or custody of children, hon. gentlemen must see that there is really a great deal in the objection that has been raised, and that if ever there was a proper subject for reference to the Supreme Court, it is this. In the Senate we are guided by the precedents and by the rules of the House of Lords. Now, I am sure that the hon. gentleman who introduced this Bill, and who has had charge of the matter for the last three years, has not produced a single precedent at all similar to the case with which we are now asked to deal. The hon. gentleman from British Columbia, (Dr. Carrall), laid on the table of the House an opinion from a gentleman holding a very high position as an interpreter of the constitution in this country. In that I find the following:

"By Standing Orders of the House of Lords, it is declared that the House will not proceed upon a petition for a divorce bill, unless proof is given that proceedings had been previously instituted in a court of law, and a sentence obtained against the guilty party."

Hon. Mr. Power.

That there is not the slightest evidence that the intention has been to produce anything of the kind against the husband. I do not think that any precedent can be found where alimony has been allowed where no divorce has been granted or applied for. We are undertaking to deal with a matter which has been already dealt with by courts of competent jurisdiction. I quite concur with what has been said by several hon. gentlemen, that when the British North America Act gives us the powor to deal with marriage and divorce, it refers to the marriage tie. The solemnization of marriage is left to the local legislatures of the several provinces; and they have, in fact, dealt with alimony and the custody of children arising out of the marriage relation. Some hon. gentlemen have referred to the fact that there is a divorce court in Nova Scotia. That court has no power to give a divorce *a mensa et thoro*, but only a divorce *a vinculo*. The people of Nova Scotia are, in that respect, in the same position as the people of the other provinces, but the fact is, that the courts of Nova Scotia, like the courts of Ontario and Quebec, have the power to deal with the questions of alimony and the custody of children, and do deal with them, and we should be careful how we interfere with them. If we deal with a matter which is out of our jurisdiction, this petitoner will be in no better position than she is now. There is this to be considered also, which ought to make hon. gentlemen willing to have this question referred: if this whole matter were to end with the present case, I can understand that it would seem fair and reasonable to grant Mrs. Campbell what she looks for; but, if we pass this Bill, it is probable that on every future session we shall have more than one application for *quasi* divorce of this kind, made *in forma pauperis*, and that we shall be asked to waste the time of the Senate and the public money in doing work which ought to be done by the ordinary courts of the country.

Hon. Mr. FLINT—I have watched narrowly the whole of the proceedings in connection with this matter from the very first, and I must say that the arguments which I have heard this evening from legal gentlemen who are opposed to this Bill, are, in my opinion, without weight

or reason. My hon. friend from Lunenburg (Mr. Kaulbach) brings up, every time he speaks, the decisions of courts of law in Ontario, and endeavors to show from them that the petitioner in this case has been proved guilty of adultery, but he forgets to add that when the husband of the petitioner came down to this House in order to get a bill, whereby he would be relieved of his wife, a committee of this House, composed of gentlemen as competent as any court of law to investigate the question, after carefully and thoroughly weighing the evidence submitted to them, reported that Mrs. Campbell had not been proved guilty of adultery. I know that the hon. gentleman and the hon. Senator from British Columbia (Mr. Cornwall) differ from the majority of that committee, as they have a perfect right to do, but I ask them if a committee such as that, after devoting weeks of time to the examination of witnesses and the investigation of the case, were not as competent, yea, more competent than an ordinary court of law to render a sound judgment upon it? This being the case, and the facts of the matter having been so long before the House, I think that these moves which have been made to thwart Mrs. Campbell come with a very bad grace from members of this House. My hon. friend from British Columbia (Mr. Cornwall) said in his place the other day that he would move in every possible manner to defeat the object of the petitioner.

Hon. Mr. CORNWALL—I said something of the sort.

Hon. Mr. FLINT—The hon. gentleman has kept his pledge faithfully, and this is the latest dodge to endeavor to throw over this measure.

Hon. Mr. CORNWALL—I must object to such language being used in this House. The hon. gentleman has no right to characterize the motion as a "dodge." It is unbecoming on his part to speak of myself or any other member of the House in that way.

Hon. Mr. FLINT—I did not wish to say anything offensive. This matter having reached its present stage, and this lady having come so far, I think it is the duty of the House to vote down the motion in amendment and let the Bill pass as soon as possible. If we are to contend for jurisdiction, I do not know how long we will be about it. The question is: Have we the power or have we not? I have examined the British North America Act, and I fail to find in what respect we lack the power to deal with this question. Legal gentlemen differ in opinion on the subject, and we, who are laymen, must use our own better judgment in the matter. My judgment leads me to do what I feel is right in the case, but I cannot help thinking that it would have been far better if Mr. Campbell had settled the difficulty with his wife. He is a wealthy man, the petitioner is the mother of his children, and to save them from the stigma of having such a scandal upon his family he should have done what he could to prevent the matter going any further. What credit or honor can he derive by endeavoring to fasten upon his children for all time to come the disgrace of having a mother who was not what she ought to have been? My impression is that we should settle this question one way or the other at once, and either say to Mrs. Campbell that she can have no redress here, or grant what she demands, and what, in my humble opinion, she is entitled to.

The House divided on the amendment, which was rejected on the following division:

CONTENTS:

Hon. Messrs.

Armand,	McLelan (Londond'ry),
Baillargeon,	Miller,
Bellerose,	Paquet,
DeBoucherville,	Penny,
Chaffers,	Power,
Chapais,	Pozer,
Cornwall,	Ryan,
Dumouchel,	Scott,
Girard,	Simpson,
Kaulbach,	Trudel,
McClelan (Hopewell),	Vidal—22.

NON-CONTENTS:

Hon. Messrs.

Alexander,	Hamilton (Kingston),
Archibald,	Haviland,
Benson,	Haythorne,
Brouse,	Hope,
Bull,	Leonard,
Christie,	McMaster,

Cochrane,	Macfarlane,
Cormier,	Montgomery,
Dever,	Muirhead,
Dickson,	Odell,
Ferguson,	Reesor,
Ferrier,	Seymour,
Flint,	Sutherland,
Glasier,	Wark,
Grant,	Wilmot (Speaker)—30.

Hon. Mr. REESOR—As the petitioner has been unable to send for the party who served the copy of the Bill on the respondent, he has sent the following affidavit:

In the matter of the application to Parliament of Eliza Maria Campbell, wife of Robert Campbell, of the Town of Whitby, in the County of Ontario, merchant.

I, Osborne Richardson, of the Town of Whitby, in the County of Ontario, gentleman, make oath and say:

That I did on Monday, the fourteenth day of April, one thousand eight hundered and seventy-nine, personally serve Robert Campbell, of Whitby, aforesaid merchant, the husband of the above named Eliza Maria Campbell, with a true copy of the printed Bill before the Senate, intitled "An Act for the relief of Eliza Maria Campbell," hereunto annexed, marked K, by delivering such copy to and leaving the same with the said Robert Campbell, at the said Town of Whitby.

OSBORNE RICHARDSON.

Sworn before me at the Town of Whitby, in the County of Ontario, the fourteenth day of April, A.D. 1879.

D. ORMISTON,
A Commissioner for taking Affidavits in and for the County of Ontario.

I may add, as further evidence of the service, that Mr. Robert Campbell, the respondent, is here at present, in consequence, I apprehend, of that service, and is ready, no doubt, to defend his case. A true copy of the Bill is attached to this affidavit.

Hon. Mr. CORNWALL—I am afraid that I must appear in the invidious position of objecting to another stage in the proceedings, but it is no fault of mine. I do not see why the proper course should not be adopted in this case, of proving at the Bar of the House the service of this copy, as the 76th rule of the House requires. That rule is as follows:—

76. "The second reading of the bill is not to take place until fourteen days after the first reading, and notice of such second reading is to be affixed upon the doors of the Senate during that period, and a copy thereof, and of the Bill duly served upon the party from whom the divorce is sought, and proof on oath of such service, adduced at the bar of the Senate, before proceeding to the second reading, or sufficient proof of the impossibility of complying with this regulation."

The affidavit which has been produced is not the proof of service which is required, and I am afraid that the matter must rest until the proper course is adopted.

Hon. Mr. MILLER contended that the rule was capable of greater elasticity, and the House could dispense with any proof at all of the service. It was a matter altogether in the discretion of the House to say whether they would accept this affidavit or not. The majority of the House were against him in this matter, but he would not throw any technical opposition in the way of the Bill.

Hon. Mr. KAULBACH said that the House could not dispense with the rule.

Hon. Mr. HAVILAND said that the point was whether the House was satisfied that a copy of the bill had been served upon Mr. Campbell. There could not be a shadow of doubt that it had been, and it was child's play to insist upon further proof of the service.

Hon. Mr. CORNWALL contended that the formalities of the rule had not been complied with, and he could not conceive it possible that the House would over-ride one of its own rules.

Hon. Mr. KAULBACH said that the hon. Senator from Prince Edward Island, (Mr. Haviland), had no right to characterize this objection as "child's play."

Hon. Mr. HAVILAND said that the language of any gentleman could not be called in question after another gentleman had spoken.

The SPEAKER—I shall leave the House to decide whether they have had satisfactory evidence of the service before them.

Hon. Mr. REESOR moved that the bill be read the second time.

Hon. Mr. PENNY—I think now it is time for the House to consider whether

they should adopt the principle of the Bill at all. I propose to show why I think this Bill should not be read the second time. In the first place, I think that the whole proceeding is wrong, because I believe that the kind of divorce which it is now contemplated to grant this petitioner, is not the divorce which we are empowered to grant by the British North America Act. The hon. gentleman who has charge of this Bill attempted at a previous stage of the proceedings to point out to us that what the petitioner asked for was a divorce, but in reading over the law dictionary he showed us that it was a kind of divorce now usually known as a judicial separation. I suppose that those gentlemen who framed the British North America Act were quite aware of the method of distinguishing the two classes of separation, and that when they said we were to be charged with the duty of granting divorce, they did not mean that we were to be charged with that other kind of divorce which is called distinctively and separately "judicial separation." Therefore, this is not the kind of divorce with which we can deal. I think that this can be tested in a manner which, if not conclusive, seems to me, at all events, very weighty. The divorces which we have been hitherto granting have been usually sought for by husbands, but, by whomsoever sought, the essential character of them is that they are granted for one particular crime. Proof of that one offence has been considered essential before a divorce *a vinculo* could be granted by this House, and that, I believe, is the only kind of divorce that we can grant. The best proof of it, perhaps, is that that is the only kind that has been hitherto granted. In this case no such allegation has been brought up. This woman has herself been accused of adultery. It has been said that she has not been found guilty, but, at all events, that is not what she alleges against her husband; and I repeat that I think the fact that the proceedings are based upon an entirely different foundation from that which we have been accustomed to regard as essential in such cases, is the best proof that we should hesitate before adopting the principle of this Bill. It has been said that the House of Lords has been in the habit of granting these separations. My hon. friend behind me, (Mr. Miller), has answered that so fully that it is unnecessary for me to go far into the question. The House of Lords is a very different body from this Senate. Our power is very limited, and we must confine ourselves to the powers that have been given to us. Apart from the objection which I entertain to granting a description of divorce which I believe is altogether foreign to that which we have been empowered to allow, I find that to this kind of separation is attached by the present Bill a grant of alimony, and that provision is made for the custody of children, questions which, as has very properly been said, have been brought before one of the courts of Ontario and decided in this very case. It cannot be doubted that court was competent to deal with these questions. The lady selected it herself as the tribunal to which she should apply, and nobody has attempted to deny that the Court of Chancery was a perfectly legitimate and competent court for that purpose. If it be true, then, that we can virtually set aside the decision of that court, that we can declare that the Vice Chancellor was wrong and do what he has refused to do, that we can save this woman from a wrong that the highest court in the country has committed in her case—if that be so we can do so in any case. The hon. gentleman from Amherst, (Mr. Dickey), says that he himself would never grant a divorce of this kind, or any other kind in a province where the courts are exercising the right to grant such divorces as might be applied for. But it is quite certain that no court could have a superior power to the Court of Chancery in respect to this alimony. If we can over-ride the decision of one competent court, then we can over-ride the decision of any other competent court. The courts in Quebec which have the power to grant separation with alimony, can have no higher authority than the Chancery Court of Ontario. Therefore, if we decide to over-ride the Vice Chancellor's decision we can set aside the decisions of the Superior Court and Court of Queen's Bench in the Province from which I come, and we can grant separation with alimony in a case where they may have refused it. The hon. Senator from Amherst has also remarked that no case of the kind that I am now supposing has yet occurred. That is quite true.

This is the first that has occurred here, but there is no reason why similar cases should not arise in Quebec, or Nova Scotia, or any other province ; and if the same sympathy should be felt for the petitioner as has been shown for the lady in this case, we should establish a similar precedent in every one of these provinces. Every member of this House has not the discretion of my hon. friend from Amherst, and his discretion has not been sufficient to prevent him from desiring to over-ride the decision of a competent court in Ontario on this occasion. Coming now to what I may call the merits of the case, I wish to draw the attention of hon. gentlemen to the position in which this Bill is going to place the parties. The husband, in the first place, presented his petition for divorce. The House threw it out. If the House should now grant a separation to this lady they will throw the whole obloquy arising out of this matter on the husband, and will entirely relieve the wife. The original accuser is to be condemned, and the party accused is to be even more than acquitted. It would be very much more pleasant for me, (because all of us, I think, in these cases would be glad to see the weaker party successful), if I could agree with what appears to be the opinion of a majority of the House. Unfortunately, I am bound to say I do not think that justice would be done by any reversal of the position of the parties in the manner just described. I shall, therefore, with as much brevity and delicacy as possible, state some of the facts of this case. The discovey made by the original petitioner, of what he thought was the misbehavior of his wife, consisted in the discovery of a letter addressed to her by a young man named Parkes. The letter contained suggestions, which everyone who reads it must regard as excessively improper, coming from a young man to a married woman. The husband was prompted by the circumstance to examine the drawers of his wife, and there he found a number of documents, which appeared to be copies of letters, to some one of which the one he had found was an answer. These letters were just as derogatory to the character of the wife, as the one which he had found addressed to her. I think that no person who has read those letters can have any doubt that the wife had been altogether unfaithful to the obligations of her married life. It is proper here to say, no doubt, that the lady herself denies that these were copies ot her letters. She says that they were sketches of romances, but I shall show how much like sketches of romances they were, and shall fortify my own opinion with that of the Vice Chancellor of Ontario. After this, the husband, as I think naturally outraged, took his children away, and while he was away, his brother and another connection thinking that all was not right at home watched the house, and there they saw a young man enter late at night —nine or ten o'clock—and remain there as they say, until three o'clock, as others say until twelve o'clock. At all events he remained there with this lady until an hour when visits of this kind are improper in well regulated families ; the husband being away and the rest of the family in bed. I attach very little importance to the statements of these witnesses.

Hon. gentlemen—Hear, hear.

Hon. Mr. PENNY—Well, I state it honestly. I have no desire to do the lady an injustice. I repeat, I attach very little importance to what these witnesses assert that they heard—not that I believe they gave what they considered untrue evidence, but I think that, having heard a little here and there, their imagination supplied the rest, and that they made a very foolish hotch-potch of it. The fact is, however, those two persons were shut up by themselves at a late hour of the night. Under those circumstances, I can hold only one opinion as to the natural result of what took place during that time. We are, all of us, men of some little experience in the world, and I suppose we can all imagine what cause the husband had for complaint under the circumstances. Here it may be remarked, however, that in cases like this, whether his very worst suspicions were justified or not, the fact that they were reasonably founded was just as bad to him as if they were not.

Hon. Mr. DICKEY objected to the discussion of a question which was not before the House. It was irregular to enter upon such a discussion until after the Bill was examined by the committee and returned to the House.

Hon. Mr. CHRISTIE thought that the point was well taken. There was no evidence before the House, and to go into partial statements as had been done in this case, appeared to him exceedingly irregular and untair. As soon as the Bill was reported with the evidence by the committee which was to be appointed to investigate the matter, the House would be in a position to discuss the question intelligently.

Hon. Mr. MILLER thought that it must strike hon. gentlemen that there was very great force in the objection which had been taken. This case came up now as if it had never been presented to the Senate before, and he thought it was neither proper nor fair that the hon. Senator from Montreal should attempt to prejudice the House against the petitioner, by commenting upon evidence in a previous investigation, which had not been given in this investigation, and which might be rebutted by other evidence. In the case of a private Bill, the principle was only adopted at the second reading, conditionally on the preamble being proven. The proper course would be to let the Bill be read the second time and referred to committee.

Hon. Mr. POWER did not think that the point of order was well taken. Mrs. Campbell had referred, in her petition and in the preamble of her Bill, most unnecessarily to what had taken place before the Senate on former occasions, and it was perfectly competent for any member of the House to refer to those facts on the second reading of the Bill.

The SPEAKER—The question now is on the second reading of the Bill. I must say, without being prepared to bring evidence of my opinion, that as this Bill must be referred to a committee to take evidence under oath, it appears to me unnecessary to go into particulars at this stage.

Hon. Mr. PENNY said that he had gone into no evidence that was to be adduced. He was simply giving a historical statement.

Hon. Mr. CORNWALL asked whether it was always absolutely necessary that a bill for divorce should be read the second time without any discussion upon it? The hon. Senator was simply giving his reasons for opposing the second reading of the bill, and he wished to know if the House was to be debarred from discussing the question.

The SPEAKER—I think that the discussion has been going on some hours.

The Bill was read the second time on a division.

THE BILL REFERRED TO COMMITTEE.

Hon Mr. REESOR moved:

That the said Bill be referred to a Select Committee composed of the hon. Messrs. Dickey, Dickson, Haythorne, Brouse, Ferrier, Leonard, Seymour, Macfarlane, and the mover, to report thereon with all convenient speed, with power to send for persons, papers and records, and that all persons summoned to appear before the Senate in relation to the said Bill appear before the said committee,—and that all papers and records laid before this House in relation to the said Bill be referred to the said Committee.

Hon. Mr. KAULBACH—Does the hon. gentleman intend that as a notice of motion?

Hon. Mr. REESOR—No.

Hon. Mr. KAULBACH—Would it not be wise to select gentlemen who have not served on the previous committee? I find that the hon. gentleman from British Columbia, (Mr. Cornwall), myself and others who voted against the Bill, have been left off the committee. I am sure that all would be glad to be relieved of the unpleasantness of this investigation, but, as the duty has to be performed, I consider that it should be conducted as far as possible in a judicial, calm, and impartial spirit, and by gentlemen who were not on the previous committee. I suggested this course, and therefore declined to act on the committee. I am sorry that my hon. friend has not taken that course, as I am sure when the question comes up from the committee, the House will not be disposed to give the same weight and importance to their report as they would to the report of an entirely new committee.

Hon. Mr. REESOR—My own view was to have all the members of the old committee upon this committee. I ex-

pressed myself to that effect to my hon. friend, (Mr. Cornwall), who replied that he desired to be left off the committee as he had taken so decided a stand on the question. One reason in favor of retaining the old committee was that they were probably more familiar with the evidence that could be adduced in this case, than a new committee possibly could be, and could avoid the expense of bringing the witnesses here again. Besides, unfortunately, some of the witnesses are dead. My hon. friend from Lunenburg also objected to being placed on the committee, and I then spoke to my hon. friend from Wallace, who certainly has not expressed himself strongly on the question. I selected Mr. Ferrier, who has shown no prejudice in any direction, because I considered that to have a gentleman who was acquainted with the law of Quebec would be an advantage to the committee. Then I took Mr. Brouse, who is an entirely new member, and cannot be open to the objection of the hon. gentleman from Lunenburg.

Hon. Mr. KAULBACH—All those gentlemen named on the committee have expressed themselves in favor of the petitioner and the hon. gentleman believing that they will not have the same evidence before this committee that we had on a previous occasion will be biassed in their decision.

Hon. Mr. RYAN—I have always understood that the object and purport of committees of this House, was to give a fair and impartial consideration of the subjects referred to them. I believe it has been the practice of Parliament in forming such committees, to appoint representatives of the different opinions in the House, but on listening to the names of the committee now proposed, I think I am correct in stating that every gentleman on that committee has voted on the same side on this question. I do not think that is the way to convince the public of the impartiality and judicial character of this House. I shall say no more on the subject, but it appears to me to characterize the whole of the proceedings that have taken place here, and to place them in a very unfavorable light before the public.

Hon. Mr. BROUSE—As a new member of this House I have not given any expression of my views on this question, nor have I intimated what they are.

Hon. Mr. RYAN—You have voted on the question.

Hon. Mr. BROUSE—I have voted to refer the matter to a committee to investigate the evidence, but I have not voted on the merits of the question. It seems to me, however, no matter how that committee is composed when gentlemen are sworn that they will do their duty impartially and fairly according to the evidence before them.

Hon. Mr. REESOR—They are not sworn.

Hon. Mr. RYAN—The hon. gentleman says he did not vote on the merits of the question. He voted for the second reading of the Bill and by so doing affirmed the principle of it.

Hon. Mr. BROUSE—That vote referred it to committee.

Hon. Mr. CORNWALL—The hon. gentleman who has moved for this committee came to me this morning, and asked me if I had any objection to being placed on the committee. I am sure that the House will appreciate the reasons which I gave him for declining to act. I have been conversant with the facts of the case for the past four years, I have distinctly made up my mind on the subject, and I feel that it would be impossible for me to go to that committee and attend to the matters that would be brought before it in a calm, impartial, and judicial spirit. I am sure that would be the case with all the members of the old committee, and I trust that gentlemen will be selected who will be able to approach this subject in a better frame of mind than has been shown by the hon. gentlemen who have been named.

Hon. Mr. DICKEY—If we adhere to the principle laid down by the hon. gentleman, we will find it very difficult to form a committee at all, as the gentleman who has been last objected to, (Dr. Brouse), is a new member, and anyone who has voted

at all must necessarily be incompetent. The hon. gentleman from Montreal, (Mr. Ryan), has laid down a very difficult rule, when he says that all opinions should be represented on the committee. Such is not the principle on which committees are formed, as they should reflect the opinion of the House, and in private bills should not be opposed to the measure. I remember when my hon. friend, the ex-Secretary of State, asked for a Government majority on the committee appointed two sessions ago to enquire into Pacific Railway matters, the principle was affirmed that the committee should reflect the opinion of the House and not the opinion of the Government of the day, after I had cited the precedent of Mr. Gladstone, the leader of the Government, who contended that a committee hostile to the Government, on an enquiry into the conduct of a Government officer was a farce, and yet the House sustained the composition of the Committee. I shall be most happy to have my name left off this Committee, and the name of my hon. friend from Lunenburg substituted. I do not wish to serve on this Committee, but I will take this opportunity of saying I am perhaps, the only impartial person on the old Committee, as I was the chairman, and never gave a vote or opinion on the case during its deliberations. When the question was before the House I could not shirk the responsibility, and I gave my vote in accordance with the finding of the majority of that committee, which was, I think, an overwhelming vote—something like seven to two in her favor—composed of all the members of that committee, except my hon. friend from British Columbia, (Mr. Cornwall), and my hon. friend from Lunenburg.

Hon. Mr. MILLER—I cannot but feel that there is very great force in the remarks of the hon. gentleman from Montreal, (Mr. Ryan), that it is a matter for regret that the hon. Senator who has this Bill in charge did not take some trouble to get two or three gentlemen on the committee who had voted differently from himself.

Hon. Mr. REESOR—I offered to take my hon. friend himself on the committee.

Hon. Mr. MILLER—The hon. gentleman knows that I am not in the habit of serving on such committees, and that the invitation means nothing. I do not at all agree with the views of the hon. gentleman on my right, (Mr. Dickey), that any such doctrine has ever been laid down or accepted by this House, that a committee should be selected from one side of the House. What was contended for by the late Secretary of State on several occasions in the selection of committees of this House, was that the Government should have a majority on the committee, but he modified his demand to an equal number. The hon. gentleman considered it very hard, on one or two occasions, that a majority, or an equal number on the committees of this House, was not given to the Government, but the contention of the leader of the Opposition on those occasions was that the committee should be a reflection of the House; that it should be composed of proportionately the opinions of the House. That is all the hon. gentleman from Montreal has asked for in the present case—he asks that there should be such a representation of both sides in reference to this Bill, on the committee, as their numbers warrant, and I think he has made a reasonable request. If no gentleman, who entertain opinions, opposed to the Bill will consent to act, then, of course, there is no ground for complaint.

Hon. Mr. FERRIER—I was surprised when I heard that my name was placed on the committee. I have not been on a divorce committee since the first divorce case we had after Confederation—the Martin case. I know nothing about the evidence in the present case except what my hon. friend opposite referred to this evening, and if I have to act on the committee I shall act without prejudice, although I should be glad if any gentleman of the legal profession, or any other member of the House, would take my place.

Hon. Mr. PENNY—I was not referring to the evidence at all. I was referring to the history of the documents in the case before the House. I was simply doing what the hon. gentleman who is moving for the committee did himself when I was called to order.

Hon. Mr. SCOTT—The parliamentary rule is that when an hon. gentleman has

expressed an opinion contrary to the principle of the Bill, he is not competent to be a member of the committee. There could not be any possible object in placing a man who is totally opposed to the principle of a bill on the committee to which it was referred.

The motion was then carried on a division.

EXAMINATION OF MRS. CAMPBELL.

Hon. Mr. REESOR moved:

"That the examination of Eliza Maria Campbell, the petitioner in this matter, at the bar of the Senate, relative to the desertion and cruelty of Robert Campbell, and the other causes set forth in the said bill, be for the present dispensed with, but that it be an instruction to any committee to whom the said bill may be referred to make such examination."

The motion was carried on a division.

POST OFFICE ACT AMENDMEMT BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (39) "An Act to amend the Post Office Act of 1875."

He said: This bill has for its object the extension of the powers embodied in the Post Office Act of 1875. It has been found in the working of that Act that it is desirable to clothe the chief Inspector, or Inspectors with powers which are not defined under the Act, and which may be assigned to them by the Postmaster-General. It was also found desirable in prosecuting enquiries or investigating complaints, or suspected cases of misconduct, or mismanagement in reference to post office duties, that powers be given to inspectors to make such examinations under oath. Power is given in the second clause to the Chief Inspector to apply for an order to the proper courts to compel persons to appear before him for examination. The third clause makes provision that nothing in this Bill shall apply to or affect any action or suit taken prior to this Act. I believe there are one or two amendments that are thought advisable, and which can be made when the House goes into committee on the Bill.

Hon. Mr. DICKEY—I have not examined critically the Post Office Act of 1875, but it appears to me the object of this Bill is to remove a doubt which was created by the language of the Act, as to its including the Chief Inspector in the powers assigned to the Post Office Inspectors.

Hon. Mr. AIKINS—Yes.

Hon. Mr. DICKEY—In reference to that I would like my hon. friend to explain why it is, in addition to that, he proposes to give to the Chief Inspector "authority over all or over as many Post Inspectors, and Assistant Post Office Inspectors, and their respective districts, as the Governor in Council may designate, and with such other duties connected with the Post Offices of Canada as may be from time to time assigned to him by the Postmaster-General." This seems to give extensive inquisitorial powers, and I hope my hon. friend will be prepared to give an explanation on that point. I do not say that it should not be in the Bill, but it does not appear to be within the scope, policy, or meaning of the Act.

Hon. Mr. AIKINS—The language of the Statute of 1875 is as follows: "And it shall be the duty of such Post Office Inspectors and assistant Post Office Inspectors * * * * * to inquire into complaints or suspected cases of misconduct or mismanagement in respect of such duty, and also into complaints of the miscarriage or loss of letters, or other mail matter, and generally to do all and whatsoever they are from time to time instructed or required by the Postmaster-General to do for the service of the Post Office Department." It was found in the working of the Act that it is desirable that these inspectors should be clothed with the power intended in this Bill.

Hon. Mr. MILLER — The point is this: will the Postmaster-General have power to give any instructions or clothe with any additional powers or duties the Inspectors or Chief Inspectors under this Bill.

Hon. Mr. AIKINS—Powers pertinent to the service.

Hon. Mr. MILLER—Only what he is authorized by law to do. He cannot clothe him with powers that he has not received authority from the Legislature to assign to him.

Hon. Mr. AIKINS—No.

The motion was agreed to, and the Bill was read the second time.

The House adjourned at 10 p.m.

THE SENATE.

Monday, April 21st, 1879.

The Speaker took the chair at three o'clock.

Prayers and routine proceedings.

SUPERVISION OF PRIVATE LEGISLATION.

A NEW RULE RECOMMENDED.

Hon. Mr. BELLEROSE presented the report of the Select Committee appointed to examine and report to the House the best means to be adopted for the purpose of properly supervising private legislation, in order to ascertain whether certain private bills coming before the House were within the classes of subjects exclusively assigned to the legislative authority of the Parliament of Canada, by the 91st Section of the British North America Act, recommending that the 60th Rule of the Senate be rescinded, and the following substituted therefor:

"Every private bill, when read the first time, be referred to the Committee on the Standing Orders and Private Bills, who shall have power, by a sub-committee, to investigate and report upon the constitutionality of all such private bills, and also, upon the power of the Dominion Parliament to legislate thereupon; and whenever the said Bill has been read the second time, it is to be referred to the Standing Committee on Private Bills, or to some other Committee of the same character, as the Senate may direct, whose duty it will be to investigate and report upon the details of such Bill; and all petitions before the Senate, for or against the Bill, are considered as referred to such Committee."

Ordered that the report be taken into consideration on Wednesday next.

THE PACIFIC RAILWAY.

RESOLUTION.

Hon. Mr. READ moved:—

That this House is of the opinion that in view of the large deficits for several years past it is inexpedient to continue the construction of the Georgian Bay Branch Railway, or make further payments as a subsidy to the Canada Central Railway, until such time as it is found that the revenue meets the expenditure of the country.'

He said: I need hardly apologize to the House for the frequency with which I have brought this matter before the House. It is one in which I have taken a deep interest ever since its inception. I am led to the conclusion set forth in the resolution which I now submit to the House from the best information that I could obtain as to the usefulness of the work when it is completed. When we consider that necessary public works which we have now on hand will absorb all our means for years to come, we may well ask ourselves whether we should not discontinue this Georgian Bay Branch. The history of this undertaking is not new. It has arisen since the Pacific Railway policy has been changed. I am led to believe that that change has not been in the best interests of the country at large. It was effected by an Act of Parliament passed in 1874. In allowing that measure to pass without amending it, I admit that I was as remiss in my duty as any other member of the House. There seems to be a misconception as to our agreement with regard to the construction of the Pacific Railway. I understand that the road was to have been commenced at Lake Nipissing. The language of the Act is as follows:—

"A railway to be called the Canadian Pacific Railway, shall be made in conformity with the agreement referred to in the preamble to this Act, and such railway shall extend from some points on, or near Lake Nipissing, and on the south shore thereof, to some points on the shore of the Pacific Ocean, both the said points to be determined by the Governor in Council."

Now, there seems to be a misconception in the minds of some of the people of this country as to the starting point: they seem to think that it should be much further east. I notice, in an interview which was held by some gentlemen with

the Minister of Public Work a few days ago, the following statement was made:

"That from the time the Pacific Railway scheme had been first adopted it had been held by the people of the Province of Quebec that the Government of the Dominion was pledged to construct a line of railway which would connect the Quebec Provincial Railway with the waters of Lake Huron."

I do not understand it so, and I do not think that the people of this country comprehend it. I have taken a little pains to read the speech made by the lamented Sir George E. Cartier, when he introduced the Pacific Railway Bill in the House of Commons, and he did not say so. What he did say was this:

"Lake Nipissing will be the junction where the lines both for Ottawa and Toronto could meet."

Now, I think that this was perfectly understood, and that was the agreement on which it was understood by the people of this country, the Pacific Railway was to be constructed—that Lake Nipissing was to be the point of junction. That being the agreement, I am loth to consent to it being deviated from to any great extent. It is hardly necessary for me to show that it has been deviated from very considerably. The original agreement for the construction of the Pacific Railway is set forth as follows:

"Whereas the House of Commons of Canada resolved at the said now last session that the said railway should be constructed and worked by private enterprise and not by the Dominion Government, and that the public aid to be given to secure that undertaking should consist of such liberal grants of land and such subsidy in money and other aid, not increasing the present rate of taxation, as the Parliament of Canada shall hereafter determine."

I think that we have evidence enough to show that this work, so far as we have got, is increasing our taxation very materially. We find that our public debt is increasing, and that our revenue does not meet our expenditure. In the last four years the deficits have been as follow:

1876	$1,960,800
1877	1,460,000
1878	1,120,100
1879 (estimated)	2,400,000
Total	$6,880,900

With these facts before us, we should ask ourselves whether it is prudent to proceed with a costly work which will yield no return for the outlay, and will be a constant bill of expense, while it will be of very small benefit to the country. Already we have expended upon the Pacific Railway for surveys:

1872	$489,428.16
1873	561,818.44
1874	310,224.88
1875	474,529.89
1876	791,121.19
1877	754,624.57
1878	322,695.42
	$3,604,442.55
1879 (estimated)	$300,000.00

For construction, Steel Rails etc.:

1875	$1,071,711.78
1876	3,346,567.06
1877	2,275,296.16
1878	1,905,677.71
	8,599,252.71

This does not include the expenditure since 1st July 1878. The estimated cost of works already under contract for the Road to Selkirk, from Thunder Bay and the Georgian Bay Branch, all under contract, with the exception of the Canal to the mouth of French River from Cantin's Bay:

Canada Central 120 miles	$1,440,000
Georgian Bay Branch 52 miles	2,000,000
Canal from Cantin's Bay, with harbor improvements at the mouth of French River	1,500,000
Contract A. Marks and Ginty for 118 miles	2,236,000
Contract B. Frazer & Co., 67 miles	4,130,000
Buildings, Rolling Stock, and other necessaries to complete the road from Thunder Bay Branch	1,500,000
	$12,806,000

To complete the section between Thunder Bay and Selkirk, will involve an outlay of $10,000,000. That estimate does not include the Fort Frances Lock, and other incidental expenses in connection with it that have been charged generally in the Pacific Railway accounts. While upon this subject, it is well to consider for a moment the expenditures upon the canals of the country, and the amount which this contemplated French River canal will involve. They are as follows:

Welland Canal	$8,967,754
Lachine do	4,010,341
To complete Welland Canal	3,592,246
do Lachine do	1,904,659
Total	$18,475,000

Over $18,000,000 have been and are being expended on the Lachine and Welland Canals. I see it stated that the Government contemplate the construction of a canal from the mouth of the French River to Lake Nipissing—either a canal or a railway—at a cost of $3,500,000. I find in Mr. Shanly's report that to canal the French River, from its mouth to Lake Nipissing, will involve the construction of eight locks and eight dams. A reasonable estimate for these works would be $3,500,000.

Hon. Mr. DICKEY—Where do you find that?

Hon. Mr. READ—In the report of Mr. Shanly, made in 1858. He says there is natural navigation for 49 miles, which would leave 31 miles to be canalled. Of that, one mile would have to be cut through the rock, and there is a fall of 67 feet between Lake Nipissing and the Georgian Bay. He says that the rock through which the canal would have to de cut is of the hardest description. His statement is:

"The greatest difficulty to be encountered is the hard unyielding nature of the material to be worked upon, chiefly syenite, gneissoid, harsh, naked and repellant, over the whole distance."

Mr. Lumsden, who surveyed the Georgian Bay Branch in 1876, says in his report:

"From the commencement of the line from French River to the 48th mile, the country is generally rocky, with very little soil fit for cultivation."

The character of the rock throughout that country is of the hardest description—primitive rock. Upon that point we have Mr. Fleming's statement, and he gives us some idea of what it will cost to remove such rock. Mr. Bell was sent up to survey the mouth of French River for this canal when it was first projected, and his estimate of the cost of constructing one lock was $484,550 with a dam and $515,700 without a dam. He tells us that he estimated the cost of removing rock under water at $6 per yard in one instance and $7 in the other. Mr. Fleming says in a foot note to this report:

"Our experience would require us to estimate this work at $20 per yard; some softer rock have actually cost us $28 per yard."

Out of the $575,700 which he estimated as the cost of the lock, $416,000 is for rock excavation, and we can readily understand how far that is below the actual cost of such a work. The whole country in that neighborhood is exceedingly sterile. There is nothing but granite rock for twenty miles square. There is not earth enough in all that section to bury a man. I have confirmation of that statement from a man who knows that country well. He says, "I worked for Cook Bros.; one of our men was drowned in French River, and we had to carry his body sixteen miles before we could bury him." I have heard similar statements from many others who have visited that country. We know that when Mr. Foster was given the contract to build a road there, after exploring it he said he could not build the last twenty-six miles, the country was so rough, and he asked to have his contract changed. Last fall when a tug was brought from Buffalo to French River for the use of the contractors, great difficulty was experienced in getting her through the narrow channel. These rocky channels must be widened and the cost of such a work must be very great. If we built a canal there it must be one with sufficient capacity to compete for the Western traffic. Mr. Shanly's estimate is for ten feet of water, but we will require twelve feet at least, and we can readily understand how the increased depth will add to the cost of the work. We can recollect the large sum which was sunk in the Chats Canal which was ultimately abandoned, and remains to this day an illustration of the difficulty of excavating that unyielding primitive rock.

Hon. Mr. SCOTT—What Government?

Hon. Mr. READ—The Government of Canada.

Hon. Mr. CAMPBELL—That was prior to Confederation.

Hon. Mr. SCOTT—You supported that Government, did you not?

Hon. Mr. READ—I have always supported that party. We have this evidence of the unyielding nature of that rock; and we can have no conception of the cost

of the work. I have made an estimate of how we shall stand if we finish all these works in connection with the Pacific Railway. From information brought down, I find, that after these works are completed, we will have nearly $30,000,000 expended.

Hon. Mr. DICKEY—Up to what point—the Red River?

Hon. Mr. READ—From Thunder Bay to the Red River at Selkirk. After the Georgian Bay Branch Railway, and its Canal, with the Canada Central Extension, are completed, and the road from Thunder Bay to Selkirk is finished, and from Selkirk to Pembina in operation, we will then have expended on these works very little short of $30,000,000. That, of course, includes surveys and all the cost of construction.

Hon. Mr. TRUDEL—What proportion will be expended on the Georgian Bay Branch and the Canada Central Extension?

Hon. Mr. READ—$5,000,000.

Hon. Mr. SCOTT—Oh, no.

Hon. Mr. READ—The hon. gentleman may say "oh, no," but I say that I believe it will. Let us take the length of the road, and then estimate what it is costing, and I think you will come to the same conclusion that I have. The contract appears to be for 52 miles. I do not quite understand that, because I find that Mr. Lumsden calls it 63 miles, but it is 52 at any rate, and I will take it at that for the sake of argument. In a country so remote and unsettled as that through which this line is to run, we may safely estimate that the cost of construction will not be less than $40,000 a mile. That is $2,080,000 for 52 miles. Then we pay for the Canada Central Extension $1,400,000 more, and after these two sections are completed, where do they leave us? In the woods! To get to the mouth of French River will cost $1,500,000 more. If my figures are right, that will make the cost not less than $5,000,000, It is this enormous outlay that I am objecting to, because I cannot see that the country is to receive any corresponding benefit for it. We are spending $18,000,000 on the St. Lawrence and Welland Canals, and here, on the other side, we are attempting to construct works to compete with those canals. It has been stated that the road was to have been commenced at Lake Nipissing, as well as at the Pacific, but I don't understand it so. I see that the resolution, which was adopted at the time the question was before the Parliament, read as follows :

"They shall commence at the Pacific Coast, and also west of the Rocky Mountains, and work eastward."

It does not say that they shall commence at Nipissing and go west. Now, when this canal is completed, the only class of vessels which can navigate it, are propellers. It is not argued either by Mr. Clark or Mr. Shanly that any other class of vessels will be useful for the purpose ; and I ask what, in a rock formation like that, would a propeller do at night in a canal 80 miles long. I do not care what lights you put up, you cannot navigate it after dark. There will be eight locks and eight dams—each lock, I suppose, 270 feet long, 45 feet wide, and 10 or 12 feet deep.

Hon. Mr. TRUDEL—How do you estimate 80 miles of canal? Do you call the French River a canal?

Hon. Mr. READ—You can call it what you wish. It is part of the canal system. It is estimated that 30 miles out of the 50 will be canal, and Mr. Shanly calls the river a canal ; and I use his words. But there are two or three dams built on Lake Nipissing, and there is a mile of canal to be made in the rock in the French River. I think that we should pause a little before entering upon such a gigantic work in the present state of our finances. My resolution goes no further than to ask this. It merely declares that we should not continue the construction of these works until the revenue meets the expenditure ; and if the revenue does not meet the expenditure, does any one imagine that we would be warranted in going on with this work. It seems to me suicidal to build one canal, and then open up a competing route. That is the view I take of it, and I have not

the slightest feeling in the matter. The enterprise does not affect me one iota, and it does not effect the locality from which I come. I condemn in the public interest, and on that ground alone. There are several railways already in operation which tap the Georgian Bay, and one of them is two miles shorter than this Georgian Bay Branch, taking Montreal as the starting point.

Hon. Mr. DEBOUCHERVILLE—What railway is that?

Hon. Mr. READ—The Midland Railway. And if the deviation is made that is in contemplation now, it will be some 20 or 30 miles shorter. A serious objection to this Georgian Bay Branch is that for five months of the year at least it will be useless; and another objection is that it is premature. We are not prepared to go on and connect it with the Pacific Railway proper, because we are not prepared to build the 620 miles of railway which would be necessary to reach Thunder Bay. For twenty-five years to come these $5,000,000 which we are spending on the Georgian Bay Branch and the French River Canal, and the Canada Central Extension, will not only be so much money lost, but will involve a continual expense to the country. We must either build the 620 miles of railway to connect it with the Pacific Railway proper, or at least 180 miles to carry it to Sault Ste. Marie. I think that the House will fully understand that I am not an advocate for constructing the Georgian Bay Branch Railway.

Hon. Mr. POWER — Honorable gentlemen: The subject to which the resolution of the honorable member for Quinté refers is one of the utmost importance, and one upon which the fullest information that can be gained by inquiry and discussion, should be sought by the Government. I think that our thanks are due to the honorable gentleman for having brought the matter before the House at a time when it is not yet too late to modify—if that should be deemed advisable—the existing arrangements with respect to the undertakings of which he has spoken. At the same time, I am obliged to confess that I cannot support his motion in the form in which it has been presented to us. The Canada Central Railroad, and the projected road generally known as the Georgian Bay Branch, are really portions of the Canada Pacific Railway. At the time of the initiation of that tremendous undertaking, it was stipulated that the eastern terminus of the contemplated road should be at, or near, the south-eastern angle of Lake Nipissing; and it was further understood that the work of construction was to be proceeded with on this end of the line as soon as on other portions. The proposal to summarily put an end to the work on the extension of the Canada Central Railroad, if adopted, would render the stipulation with reference to the terminus at Lake Nipissing worthless and nugatory, and would be practically a breach of faith with the people of Quebec, upon whose behalf the stipulation in question was made part of the undertaking, and who, upon the faith of that stipulation, have spent large sums in building railways to connect with the eastern extension of the Canada Pacific. The eastern end of Lake Nipissing is a point in the wilderness, and, unless it is connected by rail with existing highways of traffic, is, as a terminus, a simple absurdity. It is absolutely necessary that it should be connected with Ottawa, or some other point in the Ottawa Valley, and, through it, with Montreal, Quebec, and the seaboard generally. Now, this essential connection will be afforded by the extension of the Canada Central, at present under construction, more speedily and with less expense to the Dominion than in any other way. I do not think that it is either necessary or desirable to enter, at this date, upon a discussion as to the relative merits of the Canada Central line and a line running north of the River Ottawa as far as Portage du Fort; because the extension westward from Pembroke, which is now under construction, is common to both. A discussion as to whether the crossing of the river should be at Ottawa or at the Portage, however desirable it might have been at an earlier day, is now, I humbly submit, somewhat "stale and unprofitable." I shall merely remark that, while the distance to Montreal by the Portage is some twenty miles less, the local traffic to be gained by crossing at the Chaudiere is much greater. There is no doubt that the connection between the

point to which construction has advanced on the Canada Central extension and the south-east corner of Lake Nipissing, can be made at a much smaller cost and in much less time than that between any other point on any existing railway, and the eastern terminus of the Canada Pacific. As the extension of the Canada Central will also serve all practical purposes as well, or nearly as well as any other line running eastwardly from Lake Nipissing, I think that it will be clear to every unbiassed mind that, if any such road is to be constructed, that is the road. The Dominion is, as I have already intimated, bound to build some such road. Independently of the ground already taken, it will be impossible to proceed with the construction of the Canada Pacific weswardly—whether north or south of Lake Nipissing—unless at greatly increased expense and inconvenience, without railway communication with the sources from which labor and supplies of every kind are to be drawn. Apart, altogether, from its connection with what is described as our great national highway, the extension of the Canada Central has strong claims to our favorable consideration. It is a remarkably good colonization road. It will open up to settlement a large tract of very fair country at this side of Lake Nipissing, and by touching that lake, around which population has already begun to gather, will hasten the process which has there commenced. There is no reason why the hundreds of people, who are now leaving this and neighboring counties, should not find homes within their own province as well as in Dakota or Manitoba; and such homes, with land and climate equal to what they now seek so far away, can, as I have been informed by gentlemen well acquainted with the country, be found in the neighborhood of Lake Nipissing. When the bridge across the Ottawa, within sight of these buildings, which is now under contract, has been built, all the country lying between this city and the lake will have direct communication, not only with Ottawa, but with Montreal and the sea coast. This will tend to stimulate, not only the lumbering and farming interests of the western region, but also the manufactures which are springing up at Carleton Place, Almonte, Packenham, Renfrew, and other places along the line of the Central Railroad. There will be, it is clear, a very considerable traffic over the road; and this is another reason why it should be proceeded with, as it is quite time that the people of the older provinces began to reap some substantial benefit from the enormous sums of money which they are being called upon to contribute towards the construction of the Canada Pacific Railway. When we consider the fact that the extension is not only under contract, but that almost the whole line has been located; that large sums of money have been spent upon it by the contractors, and that some forty miles of the whole distance of 120 have been brought almost to completion, it must strike every member of the House that nothing but the most urgent necessity would justify the Government in discontinuing the work, and putting an end to the contract. That no such necessity exists, is shown by the facts that the Government have within a few days entered into contracts for the construction of much more expensive, and, in my humble opinion, much less necessary, sections of our great inter-oceanic highway, and that they have declared their intention to take tenders at an early date for yet other sections west of Selkirk. For the reasons I have given I should be obliged to vote against any resolution providing for the stopping of work on the Canada Central Extension.

With regard to what is commonly known as the Georgian Bay Branch, I may say that I think the name ill chosen and calculated to mislead. If the line South of Lake Nipissing should be selected, as upon the whole, a more desirable location for the railroad to Fort William than that north of the Lake—and I understand that the late Government were disposed to carry out the original understanding, and to adopt the southern route—then the road from Nipissingan to French River would not be a branch at all, but an integral portion of the main line of the Canada Pacific Railway.

Hon. Mr. DICKEY—No, no; it is no part of the Pacific Railway—it is a branch.

Hon. Mr. AIKINS—It never was intended to be a part of the Pacific Railway.

Hon. Mr. POWER—The hon. gentlemen are in error. Whether it would be desirable to tap Lake Huron at French River, either by a branch running to the mouth of that stream, as was at one time proposed, or by curving the main line to a point on Cantin's Bay, some 26 miles above the mouth of the river, establishing a terminus there, and rendering the stream navigable to that point, as was I believe contemplated by the late Government, is an important question ; and one which I am disposed to view in the same light as the hon. mover of the resolution. I think that there should not be any terminus at French River, nor any spending of money for the purpose of rendering that stream navigable to Cantin's Bay. In considering schemes submitted in connection with the construction of the various sections of the Pacific Railway, the objects of the Government, it seems to me, should be to open up and develope the resources of the country along the line; to gain access by the shortest route, and as speedily as possible, to Manitoba and all points west of that province ; and, what I consider in the present state of our finances to be the most important of all, to secure such a traffic as will pay the expenses of working the road, and, if possible, pay a portion of the interest upon the cost of its construction. The deflection of the line to Cantin's Bay, with a terminus at that point, would not, in my humble judgment, tend very much to attain any of these desirable objects. No doubt some settlers would gather around the terminus; but as there is little good land between Cantin's Bay and the point where the French River issues from Lake Nipissing, it is not probable that the deflection of the road would tend to hasten settlement beyond a very small tract. It would not hasten our approach to Manitoba and the North-West, but would, on the contrary, defer it, by lengthening the line some twelve or fifteen miles, and by causing money to be expended upon works at French River, which might be spent in advancing towards the goal to which the efforts of the country are supposed to tend. Nor would the traffic through the river ever be great. The stream freezes over early in November, and does not open until May, being closed to navigation on an average about six months, during which time a road terminating at Cantin's Bay would have no through traffic, and but little of any other kind. During the remaining six months of each year it would have to compete with existing modes of transportation, its advantages over which are counterbalanced by many disadvantages. The channel of the river is so narrow, and the navigation of such a character, that no sailing vessel would ever ascend to Cantin's Bay without the help of a tug; and with that help the attempt would not be without risk. Even to steamers the navigation of the stream would be difficult at any time, and altogether impracticable at night or in a fog. The probabilities are that in the season of lake navigation, the greater portion of the water-borne freight from the west would continue to go through the St. Clair River to the lower lakes, or by the existing lines of steamers to Collingwood and other railway termini on Lake Huron. At best, a line of railway terminating at Cantin's Bay, or any other point on French River, would do little beyond entering into an unnecessary rivalry with existing modes of transportation during the open season, while during the winter it would have no through freight. Under these circumstances little benefit would arise to Montreal or any other eastern terminus. When, besides, we consider the fact that the Georgian Bay has the reputation of being little if any less rough and stormy than the more open waters of Lake Huron, we shall be forced to the conclusion that the proposed line to French River would give to Canada but little increased hold upon the western trade. At the same time, hon. gentlemen, that the advantages to be secured by a road terminating at Cantin's Bay would, in my humble opinion, be trifling and doubtful, the cost of making the river navigable to that point would be very considerable. Turning to Mr. Bell's report, which was laid upon the table of the House of Commons two years ago, I find that he estimates the cost, with a lock, to amount to $484,550, and, without a lock, to $515,790. He estimated the rock cutting under water in places close to one another at six dollars a cubic yard, and in places at considerable distances one from the other, at seven dollars. In a note by Mr. Fleming, the fear is expressed that these estimates are far too low, and twenty dollars a cubic yard

is suggested as the more probable cost. After inquiring from gentlemen competent from experience to give an opinion, I have been led to believe that we shall not be over the mark if we put the cost at ten dollars. This would give us, in the one case for 36,600 yards, an additional sum of $138,400, and in the other for 73,900 yards, a like sum of $281,100. These additions would make the cost of the improvements, with a lock $622,950, and without, $796,890. Our experience with public works of this character would justify us in concluding that the total expense of the work, with and without a lock, would be in round numbers not less than $700,000 and $900,000 respectively; and this without taking into account the expenditure incurred by the lengthening of the road, and that which would be rendered necessary for the erection of light-houses, and the placing of buoys at various points in the river. Everything considered, I therefore am driven to the conclusion, hon. gentlemen, that it would not be advisable to carry out the scheme for a terminus at Cantin's Bay, which seems to have been adopted—at least provisionally—by the late Government.

From the report in the Montreal *Herald* of an interview between certain members representing the Province of Quebec in this House, and the present Minister of Public Works, it appears that that gentleman intimated that in his opinion, it would be advisable to locate the railway terminus at the eastern end of Lake Nipissing instead of at South River, and to canalize the French River from that Lake to Georgian Bay, or to spend the $800,000 intended for the road from South River to French River in continuing the railway north of the Lake, in the direction of the proposed line around Lake Superior to Fort William. I am pleased to feel that, in making these suggestions, the honorable gentleman did not appear to express any settled convictions of his own, nor any definite conclusion which had been arrived at by the Ministry; because I venture to think that, after mature consideration, they would not approve themselves to his mind or to the minds of his colleagues. Taking first the proposal to devote the sum of $800,000, intended for the extension to Cantin's Bay, to make a commencement of the line from Lake Nipissing by the northern route to the Kaministiquia, I look upon it as objectionable; because as yet the engineers have not succeeded in locating the road between those two points, and it might be found upon further inquiry that the line selected for the beginning of the work was not well chosen; because the financial condition of the country is not such as to justify any attempt at the present time to complete so difficult and costly an undertaking; and because the construction of a small portion of the line, terminating at a point in the wilderness, would be of no appreciable service either to the Dominion at large or any of the provinces. The scheme involving a terminus at the eastern end of Lake Nipissing, and the rendering navigable the whole of French River, would not open up the country to settlement to the same extent as the plan proposed by the late Government; and, while open to all the objections urged against that plan, would render necessary a much larger outlay, and one out of all proportion to the benefits likely to result from its adoption. On referring to the report of Walter Shanly, Esq.—a gentleman who has probably no superior as a Civil Engineer in Canada—printed in Appendix number 15 to the Journals of the Legislative Assembly of Canada for 1858, a volume which was kindly placed at my disposal by the honorable mover of this resolution, and which report was made in connection with the proposed Ottawa and Huron Ship Canal—I find that the total height to be overcome between Lakes Huron and Nipissing is sixty feet, involving the construction of seven locks and eight dams, three quarters of a mile of difficult rock cutting, and the removal of boulders from the channel, and an expenditure which I think could not well be estimated at less than $3,000,000.

Supposing then, for the sake of argument, that the scheme proposed by the late government and those suggested by the honorable Minister of Public Works are set aside, there is one by which, in my humble opinion, the three objects which I have already indicated as those which a Government railway should aim at—the opening up of land to settlement, speedy access to the North-West, and a respectable amount of paying traffic—could all be obtained at a reasonable cost. This would be the construction of a road from the proposed terminus of the Canada Central

Extension at South River, westwardly at a short distance from the southern shore of Lake Nipissing, crossing French River at the Chaudiere Rapids close to the Lake or at the Rapide du Pas about fifteen miles below, and continuing westwardly, not far from the northern shore of Lake Huron and the Saint Mary's River, to the Village of Sault Sainte Marie, at the eastern end of Lake Superior. This line was surveyed in 1871 by Mr. Murdoch, whose report shows it to be exceptionally easy for the construction of a railway, easier in fact than that of almost any road now existing in Canada. The total length from the crossing at French River would be not more than 190 miles; and, as the line west to that River would be about fifteen miles shorter than that to Cantin's Bay, we should only have to construct about 175 miles beyond what is provided for by the existing contract. Assuming that the road could be built for $15,000 a mile, as from its character, I am justified in believing that it could, the total additional expense to the country would be not more than $2,625,000—considerably less than the cost of making navigable the French River from Lake Nipissing to Lake Huron. The country along the line is almost all well timbered, and in great part fit for settlement, and has been surveyed for that purpose by the Government of Ontario. It is exceptionally rich in minerals, and the Bruce and other mines would be crossed. The terminus at the Sault would be distant by water only 263 miles, or between 24 and 30 hours steaming from that at Thunder Bay; and the harbor of the Sault is open later (by six weeks) in the fall and earlier in the spring than Cantin's Bay or Lake Nipissing. The terminus at the Sault Sainte Marie could be connected by an international bridge 3,700 feet long, with an average depth of water to overcome of only nine or ten feet, with the projected extension of the United States Northern Pacific from Duluth; so that we should have, in addition to the combined land and water line across the Lake, and from Thunder Bay to Winnipeg, an all rail route, very little longer than by the proposed road North of Lake Superior, and which would make the journey from this part of the Dominion to Manitoba at least one day shorter than by existing railways. This two-fold communication with the North-West would, I respectfully submit, be as much as we should need for many years to come. The traffic over this road from the Sault eastward would, undoubtedly, be very considerable—more especially after the connection would have been made with an American line from Duluth or its neighborhood. Many vessels from Duluth and Thunder Bay would discharge their cargoes at Sault Sainte Marie, in order to avoid the delay incident to passing through canals and the risks of lake navigation. The all rail route would carry our own freight and passengers to and from Manitoba and the North-West Territory, just as those of the United States are now carried from east to west and from west to east, over routes which are in great part Canadian. But, in addition to this, it would secure the greater proportion of the through freight to and from a very large portion of the American North-West. The line suggested would, in my opinion, convey to the sea-board the bulk of the produce of Wisconsin, Minnesota, Dakota and Montana, and a large proportion of that of Michigan and two or three other states; while it would, as a matter of course, bring back from the East the imports for those states and territories. This would be excepting the freight which might continue to go by water. Hon. gentlemen may look upon my views as chimerical or at least over sanguine; but I think that if they will take the trouble to examine the map, and to compare the distances from the sea-board by the line which I advocate, and existing channels of communication, their views will be modified. At pages 33 and 34 of the Report of Progress of the Engineer-in-Chief of the Canada Pacific Railway for 1874, will be found some interesting information as to the distances between Fort Garry and the east by different routes. A portion of the same statement is repeated at page 83 of the Report of 1877; while a table of distances, from the head of Lake Superior by water, is given at page nine of the Appendix to the last report of the Minister of Public Works. From these, and other sources, I have obtained the following figures, which hon. gentlemen can verify for themselves. From Winnipeg, by the shortest existing American lines, *via* Chicago, the distance to Toronto is 1,589 miles, and to Montreal, 1,925; by the proposed line, *via*

Duluth and Sault Ste. Marie, the distances are, to Toronto 1,296 and to Montreal 1,446 miles; making a difference in favor of the latter route of 293 miles as between Winnipeg and Toronto, and of 479 miles as between Winnipeg and Montreal. Taking Duluth, which may be regarded as the Chicago of the far North-West, as our starting point, the distances will be about as follows: from Duluth by the proposed railroad, *via* the Sault to Toronto, 820 miles, to Montreal, 970; to the same points, by the lakes and canals, 1,072 and 1,398 miles, respectively; while, by the shortest eixsting all rail route it is 1,111 miles from Duluth to Toronto, and 1,444 from Duluth to Montreal. This makes the distance between Duluth and Toronto about 290, and that between Duluth and Montreal 470 miles less than by any existing railway. This difference in distance would mean a saving of time to Montreal of not less than twenty-four hours for passengers, and considerably more for freight; and, of course, a corresponding saving of expense. Freight, now-a-days, seeks the cheapest and shortest route to market, as surely as water seeks its level; and the line that I have said so much about will afford a much shorter and cheaper route to the sea, whether at Montreal, Halifax, St. John, or Portland, for the produce of the states and territories which I have indicated, than any American railroad, and will consequently secure the traffic of these districts, beyond what may continue to go to tide-water by the canals and lakes. The United States railways have, in a great measure, diverted the western trade from our canals—cut them out, so to speak, in the affections of the commercial public. The line suggested would, as regards the traffic of a great portion of the west, cut out those railways; while the same misfortune could never happen to itself. Any hon. gentleman, upon glancing at the map, will be struck by the fact that the route from Duluth by the Sault to Montreal would be practically a straight line; so that no shorter road could be found hereafter. Upon looking at the map which accompanies the report of the Commons Committee upon immigration and colonization for last year, I was somewhat surprised to find that the air line from San Francisco to Montreal practically coincides with the suggested line from the neighborhood of Duluth to the Sault, and is almost identical with it from that point to the eastern terminus. New York is the United States Atlantic port nearest to Duluth, and is at present the most dangerous competitor with Montreal for the trade of the region of which Duluth may be regarded as the commercial centre and outlet. The distance from Duluth to New York by existing lines is 1,600 miles, to Montreal by the proposed railway *via* the Sault, 970, giving the Canadian port an advantage of 630 miles. This would mean a saving on freight, in cost of transportation of at least seven dollars a ton, and, in time, of two days. From Montreal to Liverpool is 2,760 miles; from New York to the same port, 3,030; so that the water-carriage upon through freight to England would be 270 miles less by the Canadian line. The total saving of distance between Duluth and Liverpool—*via* Sault Ste. Marie and Montreal—would be consequently 900 miles. As the shortest route from Duluth to New York would be through Montreal, or its neighborhood, it is clear that, while the last named port was open, all freight going by rail *en route*, between Duluth and England, would be shipped there.

There is one feature of the scheme for which I have ventured to ask the favorable consideration of the House, which, although not of the highest importance, still seems to deserve attention. The distance from French River to Spanish River is about 85 miles. When from this we deduct the distance saved by omitting the deflection to Cantin's Bay, we shall have to provide between the rivers in addition to the amount already appropriated for the so-called Georgian Bay Branch, Railway sufficient to construct 70 miles of comparatively easily built road. Looking at the fact that the Canada Central Extension is being built, at a profit to the contractors, for $12,000 a mile, and that the more difficult line to Cantin's Bay has been contracted for at $16,000, without the rails, I think there will be no risk in assuming that the distance named can be built for $15,000 a mile. That is to say that $1,050,000, in addition to the expenditure already undertaken for the railway, would bring us to Spanish River close by the point where it discharges its waters into Lake Huron.

On its way thither it would open up some fair farming land, and an excellent lumbering and mining country, which has been surveyed by the Ontario Government, and partly sold and settled. At Spanish River, we should find a harbor that would need no canalizing; one which is already a port of call for the steamers running to Collingwood, and one whose approaches, owing to the shelter afforded by the Manitoulin Islands, are altogether free from the storms which so often visit the Georgian Bay. In order to show the advantageous position of Spanish River, as compared with French River—leaving out of account the difficult navigation of the latter from Georgian Bay to the proposed terminus—I may call attention to the following figures, which will be found to be at least approximately correct. The point of departure in each case is the mouth of the river, and the shortest water route is followed. From French River to the mouth of the Saint Mary's River—flowing from Lake Superior—is about 130 miles; from Spanish River to the same point about sixty; From French River to the Straits of Mackinac,—the outlet of Lake Michigan—is about 175 miles, from Spanish River, 110 miles. In both cases there is much less rough water going from the latter river. If my calculations are correct, we can get to Spanish River, with all its advantages, for about $350,000 in addition to the expense of rendering French River navigable by means of a lock, or $150,000 more than the same service would cost without a lock. If we estimate the cost of the road at $20,000 a mile instead of $15,000, the difference would in each case be increased by $350,000, making the totals $700,000 and $500,000 respectively. I do not think that many hon. gentlemen will hesitate long as to the propriety of this comparatively trifling additional expenditure.

The question as to whether the road to French River shall be abandoned, or not, is one of the greatest importance to this country, because it really involves the question whether we shall, at an early day, undertake the construction of a line of railway running north of Lake Nipissing, and far north of Lakes Huron and Superior; or shall adopt a route South of Lake Nipissing, which may be continued either north of Lake Superior, or to the Sault Ste. Marie and thence south of that Lake. Before deciding upon the northern route, the following facts have to be considered: we shall be called upon to construct over 620 miles of road through an exceedingly difficult country, in a portion of which no line has been so far located. This road will cost not less, in all probability, than $25,000,000, and will take several years to construct. It will open up no country to settlement, the land along the line being almost all barren, and the climate very severe. During the whole period of construction, our communication with the North-West would remain as at present; and the trade of that region would continue to flow through American channels, unless private enterprise should do what the Government would have unwisely declined to do, and build the road to the Sault. Until the line was completed to Fort William, there would be no traffic over it; and, after that date, there would be nothing more than a portion of the comparatively limited trade of our own settlements. During the season of navigation a large proportion of the grain would be shipped at Thunder Bay, to find its way east by water, and in winter there would be but little freight to carry by rail, while considerable difficulty would be experienced in keeping the road open. Under these circumstances the cost of maintaining the railway would largely exceed its revenue. When we look at the great excess of expenditure over receipts upon the Intercolonial, where the traffic is comparatively large, we cannot but be assured that this is no mere speculation but an unquestionable fact. Mr. Fleming seems to anticipate for the proposed line a considerable quantity of American freight; but the portion of the United States to which his remarks apply would be better served by the road *via* the Sault, which would almost certainly be built by private companies, who would be shrewd enough to secure the traffic which the Government had neglected. The only argument which can be used in favor of the northern route is the military argument. Now, it seems to me, that we should locate our railway with a view to the normal state of things, which is peace with our neighbors. If, at some future time, difficulties should arise, it is to be hoped that the population of our North-West would have so increased

that they would be pretty well able to defend themselves, until aid would have reached them across Lake Superior or by some other route. Any formidable invasion during the portion of the year when troops could not be transported across the Lake is highly improbable; and if the enemy were strong enough to prevent reinforcements from going that way, they would be also strong enough to make a descent upon Thunder Bay or any point west of that, and so sever our communications. So that, for all practical purposes, the military element may for the present be ignored, in deciding upon the choice of route. The proposal to expend some $25,000,000 in building a road such as that between Lake Nipissing and Kaministiquia, at a time when the resources of the country are taxed nearly to the utmost to meet our existing liabilities, cannot but strike the House as being unwise in the extreme. It is more monstrous by far than if the United States Government proposed to spend $300,000,000—if such a sum were required—in extending the Northern or the Southern Pacific Railway to the Western Ocean. No one would credit our neighbours—enterprising as they are—with entertaining for a moment so stupendous a project; and, if we are wise, we shall not be less prudent and cautious than they. If we had money to spare, that money could be spent to much greater advantage in opening up the fertile region West of Manitoba than in building an unnecessary line of railway through the barren wilderness which lies along the proposed Northern route from Nipissing to Fort William. Upon this point I would refer honourable gentlemen to Mr. Fleming's report of 1877, at page 83 of which, speaking of the last mentioned line, that gentleman ventures to use no more favorable language than the following:—"It is, therefore, not improbable that by the time the portion of the Railway between Lake Superior and the Pacific coast has been completed, and the Prairie region has become well populated, a direct link between Lake Superior and the older provinces will be demanded."

If, on the other hand, it should be decided to proceed with the railway South of Lake Nipissing to French River and thence to the Sault; we should have a railroad some 240 miles in length, running as has been already stated through a country possessing good agricultural and varied mining resources and blessed with a moderate climate. The entire road from Nipissingan would cost less than $4,000,000; and if placed under contract without any loss of time, it could easily be completed to the Sault in 1880. This would at once give quick and easy communication across Lake Superior with our North-West; and when the gaps upon the American side between Duluth and the Saint Mary's River were filled up, as they would be very soon after it had become known that our Government were prepared to build to the East bank of that stream, we should have an all rail route to Manitoba, which, although a trifle longer, would, on account of its climatic advantages and easier grades, be practically almost as short as the northern line. At the same time, being the shortest possible line to tide water—always excepting the road to Hudson's Bay advocated by the hon. gentleman from Victoria Division—it would be the outlet and inlet of all the winter freight and of all light goods, and articles requiring speedy transit, to and from the extreme North-Western States. This road would be undoubtedly a paying one, and would, immediately upon its completion, make a fair return to the people of Canada for the exceedingly large sums which they have been called upon to pay, and, up to this time, without receiving any substantial benefit in exchange, on account of the Canadian Pacific Railway. It would of necessity bring a large and profitable business to Quebec and Montreal, and—when a connection would have been effected with the Northern Railway, which has now extended to within about 100 miles of the proposed line—to Toronto. If the Government should now build the road to the Sault; and, in future years, when the line shall have been completed between Manitoba and the Pacific Ocean, and when the financial resources of the country are much greater than they are now, it should be deemed desirable to construct the link north of Lake Superior, it could be done more easily, and to greater advantage than at present. A practicable route may be found, running almost directly from French River to the mouth of the River Pic. This would be considerably shorter than the extreme northern location.

I hope, hon. gentlemen, that the

Government will deal with this matter in a prudent, business-like way. If they do, they will see that, in choosing between a railway running North of Lake Nipissing to the Kaministiquia, and one running south of the Lake to the Sault Sainte Marie, they have to choose between an expensive, unnecessary and comparatively useless road, and a cheap and useful one, whose construction will greatly benefit this portion of the Dominion. It is to be earnestly hoped that their choice may be a wise one.

Although I fear that I have wearied the House, I trust that I may be allowed to say a few words as to my own views upon the Pacific Railway. I have always thought that, in undertaking to build that railway—in addition to enlarging the canals—Canada assumed a burden altogether beyond her strength. Looking at our wealth and population, as compared with those of the neighboring Republic, the construction of the Inter-Oceanic Railway is for us a far more formidable undertaking than would be one which involved an expenditure on the part of the United States of one thousand million dollars. We are, so to speak, handicapping Canada so heavily, that she is almost sure to be distanced in the race of national progress by her more prudent neighbors. We are so pledging our resources for the payment of interest upon undertakings that will yield almost no pecuniary return, that we shall soon have exhausted our national credit, and shall be unable to provide funds for services and undertakings which may be essential to the prosperity of the country. Looking at the matter in this light I regretted very much that, when the attempt to do the work by a company failed, the late Government did not abandon the intention of proceeding at once with the construction of the Canada Pacific. Had they done so, there would have been no deficits to lament over. It may be said that this would have involved a breach of faith with our friends in British Columbia. In one sense, this would have been true; but I, for one, should have been willing that they should have severed their connection with Canada, if they were unwilling to wait until such time as we could have built the road to their province without unduly burdening our own people. The British Columbians would then have had no reasonable ground of complaint. As it is, faith has been broken with the other provinces; because the House of Commons resolved, both under the former administration of Sir John Macdonald and under that of Mr. Mackenzie, that the construction of the road should not impose any additional financial burden upon the people of Canada. This pledge, or condition, has been openly and unmistakeably broken, and is now being further violated. If, as has been urged, Imperial necessities called for the construction of the railway, then the Imperial Government should have borne the expense, or a large proportion of it, or should, at least, have guaranteed the loans rendered necessary by the undertaking. But, supposing that some steps had to be taken, it seems to me that the wisest course would have been that which I remember to have been mentioned with approval by the Senator from Saugeen—to have at once formed the connection which now exists with the American system of railways to gain access to Manitoba; to have built westwards across the fertile belt as rapidly as the development of that region required, and the resources of that country rendered justifiable, and to use the United States lines as a means of ingress and egress until such time as we should have been able without inconvenience to have made the connection through our own territory. That would have been a more prudent, business-like, and satisfactory course than the one actually adopted; and I regret that the late Government should have allowed themselves to be diverted from it by unreasonable pressure and thoughtless clamor, from both friends and foes. Had they acted otherwise than they did, they would have been sustained by the sober, second thought of the country. However, the die has been cast, and Canada seems to be committed to the continuous construction of the line to the Pacific Coast; provided always that the funds for the purpose can be obtained. But, although this is the case, I do not see why we should deliberately fling away immense sums of money which are not demanded; and the construction of the road north of Lake Superior, when all its purposes can be served by the comparatively inexpensive road by Sault Ste. Marie, would be a far more gross and indefensible piece of extravagance, on the part of the present Government, than any of which

any former administration were ever accused. From the expressions of opinion which I have heard from members of this House and of the House of Commons, and from gentlemen outside of Parliament, I am convinced, that if the Government adopt the wise, prudent, and economic course which I have ventured to recommend, they will be heartily sustained by the good sense and sound public opinion of the country.

Hon. Mr. MACPHERSON moved the adjournment of the debate.

The motion was agreed to.

THE PACIFIC RAILWAY.

MOTION FOR A RETURN.

Hon. Mr. POWER moved:

"That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will cause to be laid before this House, copies of the report and profile of a survey, for a line of railway from Sault Sainte Marie eastward, made in 1871, by Mr. Murdoch, C. E."

The motion was agreed to.

BILLS INTRODUCED.

The following bills from the House of Commons, were introduced and read the first time:

Bill (55) "An Act to provide against infectious or contagious diseases affecting animals." (Hon. Mr. Aikins.)

Bill (50) "An Act respecting La Banque Jacques Cartier." (Hon. Mr. Trudel.)

Bill (76) "An Act respecting the Andrew Mercer Ontario Reformatory for females." (Hon. Mr. Campbell.)

Bill (66) "An Act respecting the offices of Receiver-General and Minister of Public Works." (Hon. Mr. Campbell.)

BUILDING SOCIETIES IN QUEBEC BILL.

SECOND READING.

Hon. Mr. BELLEROSE moved the second reading of Bill (L) "An Act to provide for the liquidation of the affairs of Building Societies in the Province of Quebec." He said that there were in the Province of Quebec a great many building societies—more than were required—and, as the times had been very hard, some of them were in trouble and nearly bankrupt. This bill was to provide for the liquidation of such societies whenever a majority of the shareholders asked for it.

The Bill was read the second time, and referred to the Committee on Banking and Commerce.

POST OFFICE ACT AMENDMENT BILL.

IN COMMITTEE.

The House, according to Order, was put into a Committee of the Whole on the Bill (39) "An Act to amend the Post Office Act, 1875."

Hon. Mr. CAMPBELL moved that the following clause be added to the Bill:

3. Any Chief Inspector, Post Office Inspector, or Assistant Post Office Inspector, may require any Postmaster, or assistant in any Post Office, Mail Contractor or other person in the employment or service of, or undertaking to perform any duty or work for the Post Office Department, to make and sign before him an oath or declaration in the following form, or to a like effect:—

I (insert the name of the person and the capacity in which he is employed in or by the Post Office Department), do solemnly and sincerely promise and swear (or declare, if the person is one entitled to declare instead of taking an oath in Civil cases) that I will faithfully peform all the duties required of me by my employment in the service of the Post Office, and will abstain from everything forbidden by the laws for the establishment and government of the Post Office Department in Canada. So help me God.

This oath (or declaration) was sworn (or made) and subscribed before me the day of 187

Signature of person.

(Signature, Post Office Inspector, or as the case may be.)

The amendment was agreed to.

Hon. Mr. DICKEY from the committee, reported that they had gone through the Bill, and had directed him to report the same with an amendment.

The amendment, was read a second time, and agreed to.

QUEBEC GEOGRAPHICAL SOCIETY'S BILL.

SECOND READING.

Hon. Mr. RYAN moved the second reading of Bill (69) "An act to incorporate the Geographical Society of Quebec." He said that the hon. Senator from Amherst, (Mr. Dickey), and the hon. Senator from Halifax, (Mr. Power), had informed him that they would object to the second reading of this Bill, on the ground that it was legislation which should be sought for in the Local Legislature of Quebec. When they would hear the petition of the society read they would admit that so far from being of a local charactar it was very general indeed. The very title of the Bill was very wide—"the Geographical Society."

Hon. Mr. CAMPBELL—We are willing to let the Bill pass the second reading.

Hon. Mr. RYAN said he would be happy to postpone the discussion on the Bill until it was referred to committee.

Hon. Mr. MILLER said he would consent to the second reading on the condition stated by the hon. gentleman—that the whole question as to jurisdiction should come before the committee.

The Bill was read the second time and referred to the Committee on Standing Orders and Private Bills.

The House adjourned at six o'clock p.m.

THE SENATE.

Tuesday, April 22nd, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

CANADA LIFE ASSURANCE COMPANY'S BILL.

THIRD READING.

Hon. Mr. MACPHERSON, from the Committee on Banking and Commerce, reported the Bill (7) "An Act to amend the Act to incorporate the Canada Life Assurance Company," without amendment, and moved that it be read the third time.

The Bill was read the third time and passed.

THE FORT FRANCES LOCK.

INQUIRY.

Mr. MACPHERSON enquired:—

What was the amount of the expenditure in connection with the Fort Frances Lock at the date of the last return?

What is the estimated cost of completing it? And is it the intention of the Government to complete the said work?

Hon. Mr. CAMPBELL—The amount expended on the Fort Frances Lock up to this time has been $300,259.99. The estimated cost of completing it (with gates which are estimated at $25,000) is $30,535. In answer to the third question, it is not the intention of the Government to make any further expenditure upon this Lock at present.

POST OFFICE ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. AIKINS moved the third reading of Bill (39) "An Act to amend the Post Office Act, 1875."

The Bill was read the third time and passed.

OCCIDENTAL RAILWAY BRIDGE BILL.

SECOND READING.

Hon. Mr. PENNY moved the second reading of Bill (45) "An Act to authorize the construction a Bridge over the Ottawa River for the use of the Quebec, Montreal, Ottawa and Occidental Railway, and for other purposes." He said: The object of this Bill is to enable the Government of Quebec, which has constructed a large systom of railways from Quebec to this city, to carry a bridge over the Ottawa, and so to connect with the Canada Central, and the system of railways in Ontario. I suppose that the mere statement of the ob-

ject of the Bill is sufficient, of itself, to induce the House to allow it to be read the second time. It is for a most useful public work, and the only difficulty, I believe, that was found in the other House in the passage of the Bill was as to the manner in which the authority would be given to the Quebec Government. There was some difficulty arising from the fact that they could not incorporate that Government, or treat it as a corporation. Steps were taken by consultation with the Attorney General and other legal gentlemen, to put that in a proper shape, and I believe it will now be found that no objection can be had to the Bill in its present state.

The Bill was read the second time.

THE PACIFIC RAILWAY.

THE DEBATE CONTINUED.

The order of the day having been read,

Resuming the adjourned debate on the Hon. Mr. Read's motion:—That this House is of the opinion that in view of the large deficits for several years past, it is inexpedient to continue the construction of the Georgian Bay Branch Railway, or make further payments as a subsidy to the Canada Central Railway, until such time as it is found that the revenue meets the expenditure of the country.

Hon. Mr. MACPHERSON said: I listened with a good deal of interest, yesterday, to the remarks addressed to the House by the hon. Senator from Halifax, (Mr. Power.) The subject was a comparatively new one, that of a railway from Lake Nipissing to Sault Ste. Marie, and, therefore, possessed a freshness that more hackneyed subjects do not possess, although they do not lose in their importance by being frequently presented. I agree with much that the hon. gentleman said as to the course of trade if the railways he spoke of were constructed. If the people of the United States were to complete their chain of railways from the Northern Pacific Railway to the Sault, through the States of Wisconsin and Michigan, and if a railway to connect the United States system of railways with the Canada Central Railway were constructed, I have no doubt whatever that a very considerable trade would pass over those lines. I think it is unfortunate, however, that the hon. gentleman did not discover earlier in his parliamentary career the importance of the line he now advocates. Had he done so, he might have induced his friends, the late Government, to have avoided an expenditure which will be disappointing to the country, and will be of very little use —I mean the expenditure upon the construction of the railway from Lake Superior and Red River, to which I, myself, have always been opposed. Now that the late Government have built 112 miles at each end of the road, it seems difficult to abandon it. I am not prepared to advise the Government to discontinue the line, but, at the same time, I am not at all certain that it is wise to complete it. There will be very little traffic by that route when the costly road is completed. If the policy of the hon. Senator from Halifax, (Mr. Power), were adopted, the proper course to pursue would be to take up the rails which have been laid on the railway from Lake Superior westward, and use them on the road from Lake Nipissing to the Sault, and also to remove the rails on the completed section from Selkirk eastward, and use them in constructing a road through the prairie country west of Red River. It is not probable that this will be done, although it might be the wisest course. It is well known that my own views have always been opposed to the building of the line from Lake Superior to Red River on account of its great cost and little use. It can only be a summer line, and a very short summer line. In fact, it will not be open until the spring business is almost over, and it will close before the fall business from the West has fairly commenced. It can only be approached at this end by way of Lake Superior, and that Lake does not open until the beginning of May. Hon. gentlemen in this House are aware that a large emigration has already taken place to Manitoba this spring and that it will almost have ceased by the time Lake Superior is open. Then, in the autumn a very small portion of the crop of the year can be sent *via* Lake Superior, so that the American lines must be adopted for the principal portion of our trade in any case. My own opinion always was that we should be content to use the American lines until our prairie country was well settled and the country north of Lake Su-

perior properly explored and surveyed to discover the best line and its cost, to ascertain whether it would be within the means of the country. If the House will bear with me for a few minutes I will recall what I have said on this subject from time to time. As far back as the 31st of May 1869, almost ten years ago, I said on Mr. Campbell's motion to adopt resolutions respecting the acquisition of the North-West Territory:

"We had not the means to build a railway through our own country, and it was not necessary. The American railways were open to St. Paul or beyond, and he understood the intention was to extend them to the boundary of our territory at Pembina. We should do all in our power to encourage their rapid extension; should tell the promoters that we should endeavor to carry on the line as soon as they brought it to the frontier. Whether these undertakings could be most advantageously constructed by the Government, or by private enterprise, supplemented by public aid in some shape, was a question, which, perhaps, this was not the time to express an opinion upon, but, in view of the condition of our finances, the mode involving the least outlay would be the best."

On the 3rd of April, 1871, when the resolutions providing for the admission of British Columbia were the subject of debate in the Senate, I am reported to have said :—

"I must again refer to what I said two years ago, that our policy should be to build a railway northward from Pembina to Fort Garry, and thence westward to the Rocky Mountains, and to explore thoroughly the country eastward from Fort Garry to the settled portions of Ontario.

"If the railways of the United States are built up to the boundary of the (our) territories, as they will be very soon, why not avail ourselves of the facilities they will afford us, and thereby save large expenditures for the present? Beginning our railway, then, westward of the frontier, we can make our way easily and economically; we can carry materials and supplies without difficulty; and, furthermore, we will at once open up a country most suitable for emigrants. I do not believe any other course than this can be easily adopted under present circumstances. I do not yield to any hon. gentlemen in the desire to see an Inter-Oceanic Railway through British Territory, but we should advance prudently, using the American lines to our North-Western frontier; build our railways westward through our prairie lands, which are so attractive to settlers, and carefully explore the country between Fort Garry and Lake Nipissing, before undertaking to build a railway through it."

In a speech delivered by Mr. Blake, at Peterboro', on the 15th of January, 1874, the policy of the late Government was announced as follows :

"It was the intention of the present Government to proceed with the construction of the Pacific Railway, but in such a way as to prevent an increased burden of taxes to the people. To this end, the road would be constructed so as to reach the great water stretches, or lakes, about 1,000 miles, and then, by using the Lake of the Woods and Rainy Lake, and building portions of the road in connection with these waters, easy communication would be secured with Fort Garry; afterwards, and as soon as possible, consistent with the public interests, the remainder could be constructed, and that wholly in our own territory. While these portions of the work were in construction, the people could do as they do—use the American roads."

Now, hon. gentlemen, instead of that course having been pursued—a course which would have saved the taxpayers of this country an enormous expenditure—the all-rail line between Lake Superior and Red River was adopted and proceeded with, and I will re-state to-day what I have often stated here, and which I think was altogether discredited by my hon. friends on the Ministerial benches during the existence of the late Government, *i. e.*, as to the cost of that railway. I stated here, over and over again, that the railway between Lake Superior and the Red River would cost $20,000,000. I believe that it will cost every dollar of that sum. Certainly it will if interest upon the money, from the time of its expenditure until the completion of the road, be added to the expenditure; and there would be no propriety in not charging interest on the cost of the railway, for we are building it with borrowed money, on which we are paying interest. The hon. Senator from Halifax, (Mr. Power), did not exaggerate the cost of building a railroad along the north shore of Lake Superior, to connect with the line now being built, when he asserted that it would reach $25,000,000. The distance is about 650 miles, but I will say 620 miles. We have no right to suppose that it can be constructed for less than the line between Lake Superior and Red River, and, at that rate, it would cost $30,000,000. Now, I ask hon. gentlemen if it is possible that the Parliament of this country, at the present time, would entertain a pro-

position to enter upon an expenditure which would amount to that sum before any portion of the road would be of service to this country, because, until it is built through from its connection with the existing railways of Ontario to Red River, it can have no traffic. I have frequently expressed disapproval of the construction of the Georgian Bay Branch of the Canadian Pacific Railway. I have done so because it was not a part of the Pacific Railway proper, and because I looked upon it as a scheme, a surprise sprung upon the Parliament and the country.

Hon. Mr. AIKINS—Hear, Hear!

Hon. Mr. MACPHERSON — I objected to it on these grounds; and, further, because it would have no local traffic to pay the expense of running it, and to speak of it as a "Branch" of the Canadian Pacific Railway, before the Pacific Railway proper was built, was, I thought, very delusive to the country. It was spoken of as a branch of a railway which did not exist, and which cannot exist for many years. I looked upon it as misleading, and unworthy the support of Parliament or the country. Instead of having to build a branch to connect with the main line, it would be building a main line to connect with a branch, if the main line were ever built. To connect that main line, when it was projected with the branch, we would have had to build a thousand miles of railway—which is about the distance from the point where the Pacific Railway would connect with the existing system of railways to the Red River. I do not think that we would be justified in estimating the cost of building that line through such a rough country at less than $50,000 per mile, which would have made the cost of the road $50,000,000. When we consider that every mile of it would have been through an irreclaimable wilderness, unfit for settlement, every hon. gentleman will see that it was altogether impossible to have undertaken it, and that it is impossible in the present state of the finances of the country to enter upon the construction of the 620 miles from Lake Nipissing to connect with the line building from Lake Superior. Yet this must be done before the Georgian Bay Branch Railway can become a part of the Pacific Railway. I shall not say anything to-day upon the reasons which I may believe induced the late Government to determine upon the construction of the Georgian Bay Branch. I have done so before, and I shall not repeat it to-day. It is not necessary, and would not be calculated to promote a fair consideration of the question; it would excite feelings which need not be revived. I shall confine myself to the purely commercial aspect of the question, and submit such facts as are in my possession to show how little the road has to recommend it in that respect. I may say that no member of this House is more anxious than I am to see the trade of the West descend the St. Lawrence—to see it go to Montreal and Quebec, for that is what is meant by the St. Lawrence. Whether it descends by rail or by the river to the ports of Montreal or Quebec, it must necessarily be distributed and shipped at those ports. I was for many years connected with that trade very directly, and did all in my power, and contributed something, perhaps, to direct trade into that channel. I was never more anxious to see it take that route than I am to-day, and if I could see that the trade of the West would be taken to our own seaports by means of the construction of the Georgian Bay Branch, or a considerable portion of the trade which would otherwise go by foreign channels, I would be quite willing to see the road built. I would advocate it if we had the means to undertake the work, and I would be prepared to go a great length to find the means. But I am not satisfied that such would be the case. On the contrary, I believe that it would be impossible for that line, if built, to compete with the canals. I shall submit some statistics and will take Chicago as a common point, and I may say that from Chicago to the mouth of French River is about the same distance as from Prince Arthur's Landing to the same point; so that, whether you consider the trade of the Western States, or of our own North-Western country, the transportation by water would be substantially the same in either case. Now, the rates of freight from Western shipping points must necessarily be the same to New York and Montreal. If either route should be cheaper than the other, the traffic would go by the cheaper route. Now,

water-borne wheat was carried last year from Chicago to New York, in the month of July, for 6.42 cents per bushel, or at the rate of $2.11 per ton. This rate was very low, and the rates for each of the last five years were very low. If I had been speaking in any of them at this season of the year, I would have said that they were very low, but rates have been declining from year to year. The all-rail rates for wheat from Chicago to New York were as follow :—

1874	$9.50	per ton.
1875	8.00	"
1876	5.46	"
1877	6.80	"
1878	5.86	"

These were the average rates, but, low as they are, they were higher during many weeks of each year. Take, for example, 1878. For eleven weeks the rate was $8 per ton, for six weeks $7, for fourteen weeks $6, and yet the average for the year was only $5.86. Wheat was carried last year to Montreal at about 6½ cents a bushel. Now, I will show what portion of freight, from Chicago to Montreal, would inure to the Georgian Bay Branch and connecting lines to Montreal. After the Welland Canal is enlarged and the improvements on the other canals are completed, I believe that large vessels will carry wheat from Chicago to Montreal at 5 cents a bushel; but, in my illustration, I will take 6 cents, a rate at which it has already been carried. I may say, furthermore, that I believe the time will come when the rapids of the St. Lawrence will be so improved—I have reason to believe that it will not be a very difficult matter to improve them—as to allow freight vessels to desend the rapids, leaving it only necessary for vessels to ascend the canals, which will be a great saving in time and would tend to do away with trans-shipment at Kingston. I believe therefore that the rate will be reduced to 5 cents, but, as I have said, I will take for the basis of my calculation 6 cents. One third of that I allow to the vessel that carries the freight to the terminus of the Railway on French River. Hon. gentlemen may think, French River being much nearer to Chicago than Buffalo is, that a vessel would carry freight to the former place at a much lower rate, but such is not the case. When the cargo is once on board, a vessel will go a long additional distance for a comparatively small freight. To illustrate this, I may mention that vessels will carry freight to Buffalo for a fraction more than they will carry it to Sarnia, although the expenses of the vessel are largely increased between Sarnia and Buffalo, because she has to pass over the St. Clair Flats, where the water is shallow, and where sailing vessels have to be towed. Still, it is found that the additional cost of freight to Buffalo from Sarnia is very trifling. I am advised, by persons engaged in the shipping trade, that one-fourth of the freight from Chicago to Montreal will have to go to the vessel for carrying it to French River. There would be elevating at French River and at Montreal, and shipping at Montreal ; I put that down at one cent. The figures given to me by the trade exceed that considerably. I have no doubt, however, that those charges would be reduced, and I call it one cent. That would leave for the railway 3½ cents per bushel, or $1.15 per ton for the freight from French River to Montreal, which would be $11.50 per car, and $287.50 per train of 25 cars for 410 miles. As most of the cars would return empty, it may be said the train would have to run 820 miles for $287.50. Then, it must be remembered that the Georgian Bay Branch, and its connecting lines to Montreal, would not stand in a favorable position as compared with American lines, because, during the whole season that they could be used, they would have active competition with the water route, whereas the American lines have no such competition during the winter months. Half the year, you may say, they have the trade to themselves, whereas our Canadian lines would have the competition of the water routes during the whole time they would be in operation during the year ; so that their average could scarcely exceed the minimum rate.

Hon. Mr. READ—Might I ask the hon. gentleman if I understood him correctly, that the vessel would only get 1½ cent. per bushel from Chicago to French River, out of the six cents ?

Hon. Mr. MACPHERSON—That is all.

Hon. Mr. READ—Isn't that a small proportion ! •

Hon. Mr. MACPHERSON—It seems small, but those engaged in the business tell me that it can be done for that. I am trying to be as liberal as I can be to the railway, in my calculation.

Hon. Mr. REESOR—It has been carried at 1½ cent. per bushel to Georgian Bay.

Hon. Mr. MACPHERSON—I should think large vesels, carrying 60,000 bushels, could carry at that rate, but the rate would be exceedingly low. The only other item against the water route is insurance. That item is more difficult to estimate, as it depends, of course, upon the value of the article insured. I should think, however, that 1½ cent. per bushel would be a sufficient allowance for it. I turn to the report upon the Intercolonial Railway to see what the cost of running a train on that line has been, and I find that last year the rate (including renewals, which every road has to make almost from the very beginning), was 83·85 cents per mile. For 410 miles, that would be $343.78½, or, for the 820 miles, $687.57. Hon. gentlemen can see for themselves that the freight would not pay the running expenses of the trains. I do not think it is necessary to enlarge upon this subject, it is so plain. There are, of course, several railways already existing in the country, which would be competing lines. There is the Midland Railway, which is favorably situated, terminating at Midland on the Georgian Bay; there is the Northern Railway, which also connects with the Georgian Bay at Collingwood; the Toronto, Grey & Bruce, at Owen Sound and also at Southampton; the Grand Trunk Railway at Goderich and Sarnia, and the Great Western at Windsor. All would compete with the Georgian Bay Branch and terminate at more desirable ports. Very little heavy produce, grain particularly, is carried by water and by any of these railways. When the owners of grain are in haste to get it to market, they send it by the all-rail routes, either to the Atlantic ports or to Montreal. The grain shipped by vessels it is generally sent through by water. There is not enough saved by performing part of the transport by vessel and part by rail, to induce shippers to adopt that course. They either send altogether by rail or altogether by water. I repeat that I should very much like to see our own routes get a large portion of the Western trade, and I am exceedingly sorry to see that the proportion which Montreal gets is diminishing instead of increasing. In 1878 the grain trade to the Atlantic ports—Montreal, Portland, Boston, New York, Philadelphia, and Baltimore—was 248,000,000 bushels, of which Montreal got only 5 per cent., being only 12,400,000 bushels; while in 1873 the whole quantity was only 137,000,000 bushels, of which Montreal's share was 10 per cent. or 13,700,000 bushels. I submit that it is perfectly clear that we are not going to get a great trade by expending money on the railway, which is now the subject of discussion. The expenditure, if made, will be, I think, altogether unprofitable, and I suggest it would be only reasonable in the gentlemen who are actively promoting this railway to ask for a committee, and prove to the House that there will be some return for the money proposed to be spent. I am certain if they can succeed in doing so, they will find this House willing to favor it, as far as the finances of the country will permit, and, if they cannot do so, they ought certainly to stop pressing for an expenditure which the country can so ill afford to make. If we have the money to spare, I agree with the hon. Senator from Halifax, that the prairie country is the place to spend it. The amount of money that the useless line between Lake Superior and Red River will cost, would build a railway from Winnipeg to Fort Edmonton, a thousand miles through a fertile country. How much more value would the country have had for this expenditure if it had been made there instead of where it has been, and is being expended! I think it is an expenditure which will always be looked upon with regret by the members of the Government who embarked in it, and their friends. I shall not speak any words of censure or blame to-day. It is too late; and I have no doubt the gentlemen must already feel that very unfortunate and disastrous blunders were committed by them. Had it been possible to build the Pacific Railway proper from Lake Nipissing, westward, it would not have been necessary for the Government to build this Georgian Bay Branch.

Private enterprise would have been quite equal to that; but we are spending money which we can ill afford on a work from which the country will have no return. The facts that I submitted to-day, I thought would be interesting to the House and might be of service.

Now, with respect to the resolution which is before the House, I can not vote for it. The resolution does not condemn the Georgian Bay Branch, and I certainly would not to-day vote in favor of that undertaking, and that would be the effect of carrying this resloution. It merely asks that the work shall be suspended until such time as it is found that "the revenue meets the expenditure of the country." The Finance Minister thinks that the revenue next year will exceed the expenditure, and if we adopt this resolution the Government would not feel bound to act upon it. In fact, they could not act upon it. The building of the Georgian Bay Branch and the subsidizing of the Canada Central Extension have been authorised by Parliament and contracts have been made under authority of Parliament. The hon. gentleman who introduced this resolution did not tell the House that the railway is under contract, and that, to suspend the work would be to break existing contracts. The effect of that would be to leave the Government open to claims for damages. If we pass this resolution we shall place the House in a false position by virtually proposing to annul an Act of Parliament by a resolution of this House. For these reasons I shall vote against the resolution if it is pressed to a division.

Hon. Mr. TRUDEL said—This is a matter of such importance that I think the House will permit me to make a few remarks on the subject. It will be seen that there are so many different opinions on this matter — as many different schemes for that portion of the Pacific Railway, as there members in this House who have spoken on the subject—that to come to a sound conclusion it is necessary to inform ourselves of the true position which we occupy in this matter. Hon. gentlemen will recollect that there are two different schemes involved, which are germain to each other: the opening from the west, by the St. Lawrence, a route towards the Atlantic, both by railway and by water. The mover of the resolution has alluded to an interview which took place some time ago between a deputation of gentlemen of this House and the Minister of Public Works, in which allusion was made to some project for improving the navigation of the French River. It was that pretended scheme of the Government which has raised a strong feeling in my hon. friend's mind, and which, as far as I understand his argument, has decided him to bring this motion before the House. I think, hon. gentlemen, that there cannot be two opinions that the route by the north of Lake Superior for a railway, and by French River and the Nipissing and the Ottawa Rivers for navigation, is, by far, the best route which can be found across this continent; and that we can call it, as it has been generally called by the engineers, who take deep interest in the matter, the route *par excellence* that has occupied the attention of public men for several years. When we recollect that it was stated by Mr. Fleming's report of 1877, the all-rail route north of Lake Superior would shorten the distance between Selkirk and Montreal by 670 miles, we can easily come to the conclusion that a route which affords such an advantage deserves a fair consideration. Having said so much for the railway route, I must say that the corresponding route by water is at least as advantageous and is entitled to the same fair consideration. It was the opinion as far as I can ascertain that was entertained by the different legislatures of this country from 1858 to the present time, and I think no difference of opinion has since taken place, and all our public men have agreed that the Northern route would be of the utmost advantage to the country either by rail or by water. This opinion is sustained by the reports of the engineers. Now as far as I can ascertain, it was this opinion which induced the Legislature of 1871 to pass the first resolutions in the House of Commons providing for the building of the Pacific Railway, and in 1872 to favor the Bill introdnced by Sir George Cartier, providing for the same work. It would follow from what has been said by the hon. mover of the resolution, as well as the hon. gentleman for Saugeen, that the view taken by those statesmen, and by the members of the present Government who have seats on the treasury

benches in this House, that that opinion was not justified by the facts. I desire to show that, taking the reports of engineers, and all the facts which are worthy of consideration, that it was the best policy which could be adopted at the time, and there has been no reason advanced to change that policy up to the present time. Hon. members of this House will admit that, before charging the statesmen who were at the head of public affairs at that time, with having come to a wrong conclusion, we should examine the question very carefully to ascertain what strong reasons exist that will induce us to change our views from those held by the statesmen of that time. It was said by the hon. member for Halifax, that though there is nothing in the statute to oblige the Government to commence the railway east of Lake Nipissing, it was so understood. and it would be a breach of good faith towards the Province of Quebec to do otherwise. On the other side, the mover of the resolution said that, after having looked into the remarks of the late Sir George Cartier upon the question, he could not find a single word which goes so far as to say that it was the understanding at that time. But I will tell the hon. gentleman that he is mistaken on this subject. It is not only to the speeches of Sir George Cartier we have to look for the understanding alluded to, but there are official documents on record which bind the Legislature and the country, to complete the Pacific Railway as proposed at the time. On the 31st March, 1871, a series of resolutions were passed by the House of Commons, which are reported on page 195 of the Journals of that year, the 11th section of which reads as follows :—

"The Government of the Dominion undertake to secure the commencement *simultaneously* within two years from the date of the Union, the construction of a railway from the Pacific towards the Rocky Mountains, and *from such point* as may be selected east of the Rocky Mountains to the Pacific, to connect the seaboard of British Columbia with the railway system of Canada."

The same resolution had been adopted by the Privy Council of the Dominion as shown by minute of Council on the 1st July, 1870. The Statute of 1872 refers to this matter as follows :

"A railway to be called the Canadian Pacific Railway shall be made *in conformity* with the provision of the preamble of this Act, and such railway shall extend from some point on or near Lake Nipissing on the south shore thereof to some point on the shore of the Pacific Ocean."

I call the attention of my hon. friends chiefly to the resolution which provides that the railway shall be commenced within two years simultaneously at Lake Nipissing and on the Pacific Coast.

Hon. Mr. READ—I beg the hon. gentleman's pardon, the resolution reads this way :

"The Government of the Dominion undertake to secure the commencement simultaneously within two years of the date of the Union, of the construction of the railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific."

It says nothing about Nipissing at all.

Hon. Mr. CAMPBELL — Nipissing was the point chosen.

Hon. Mr. TRUDEL—I think the matter is very plain. Lake Nipissing is not mentioned, but the eastern terminus was to be at a point to be selected by Order in Council. Everybody knows very well that this very point which was selected by Order in Council, was the south-east of Lake Nipissing, as was stated afterwards in the Statute of 1872.

Hon. Mr. CAMPBELL—When the agreement was entered into, which he hon. gentleman from Quinte, (Mr. Read), has read, it was a matter of doubt whether the railway had better start from the South-East of Lake Nipissing or from the Northern shore, and it remained in doubt, as the langaage of the resolution which the hon. gentleman has quoted shows.

Hon. Mr. TRUDEL—The building of the railway should have commenced simultaneously from each end, that is the point. It is in so many words in the public documents, and, of course, my hon. friend is perfectly free to give any other interpretation to it, I but think he will be alone in doing so. These resolutions were the treaty in virtue of which British Columbia was admitted into the Confederation, and if it is a fact that by

this solemn compact the country was bound to British Columbia to build the Pacific Railway; it is equally a fact that the country was bound also to commence work within two years on the Eastern part of the Pacific Railway. If we are in honor bound towards the inhabitants of British Columbia to commence the Pacific end of the road, we are equally bound towards the inhabitants of the Ottawa Valley, Quebec and the Lower Provinces, to begin the construction of the Eastern end of the railway at the same time. It was on this understanding that the Province of Quebec gave its consent, or joined with the remainder of the Dominion, in consenting to the building of the Pacific Railway.

Hon. Mr. BELLEROSE—Hear, hear.

Hon. Mr. TRUDEL—I sincerely believe, that if the Pacific Railway had been considered as a local work, interesting only the western part of the Dominion, not only would the people of Quebec have refused their assent to the scheme, but it would have been opposed also by the Lower Provinces; at all events, this is a solemn treaty which we have a right to invoke, and which we will invoke when hon. gentlemen in this house, or in another place, lose sight of our rights in this matter. According to this agreement, the construction of the railway should have been commenced at the point I have stated. It happened that in 1874 Sir Hugh Allan, having failed to negotiate the bonds of the company, his scheme was abandoned, and the change of Government having taken place, the law was somewhat altered on that point by the Statute passed by Mr. Mackenzie through the Legislature, and the construction of the Pacific Railway was proceeded with, beginning at Thunder Bay. It has been urged that the Georgian Bay Branch forms no part of the Pacific Railway, and it seems to be one of the strongest reasons advanced for its abandonment. But I contend that almost the whole of the work done so far on the railway has been executed on branches rather than on the main line. There is the Pembina Branch, and the road from Thunder Bay westward—a portion of which is also a mere branch, because, according to the first scheme, the road was to pass a good deal further north. The section from Fort William to some point west of which I cannot now recollect the name—some place not distant from English River—is only a branch to make a connection between the Pacific Railway and Lake Superior, so that I may say the greater portion of the money expended up to the present time, has been expended on the branches; therefore this objection does not seem to me to have more weight than the objection which might have been made to the construction of the other branches to which I have referred.

Hon. Mr. MACPHERSON—The portion west of Lake Superior is a part of the main line. Of course, it will be continued from Red River west.

Hon. Mr. TRUDEL—If the hon. gentleman refers to the charter providing for the building of the Pacific Railway, he will find that this part, from Thunder Bay to English River, or some other point in that vicinity, is merely a branch—that the main line is north of that.

Hon. Mr. CAMPBELL—The whole distance from Thunder Bay to Red River is 410 miles, and that is a portion of the main line, with the exception of thirty miles.

Hon. Mr. TRUDEL—I do not recollect exactly the point, but I think it was somewhere near English River that the road was to have branched off from the main line to Thunder Bay.

Hon. Mr. MACPHERSON—The length of that branch was only sixty miles.

Hon. Mr. TRUDEL—Well, whatever the length, it was only a branch. In compensation to the people of Quebec for abandoning the scheme of 1872—the commencement of the work south-east of Lake Nipissing—the late Government decided to build the Georgian Bay Branch. The House will recollect that on several occasions, when this question came before this Chamber and the vote was taken, the members from Quebec distinctly explained that when they voted for resolutions condemning the Georgian Bay Branch, it

was not because they considered that no railway should be built in this direction, but that they considered the location of the branch was not a good one. Hon. gentlemen will recollect also that when the first charter was granted for the construction of the Pacific Railway, there was an understanding that the company undertaking the building of the road should also build a line to connect with the railway system of Quebec somewhere in the Ottawa Valley, I have in my hand the letter from Sir Hugh Allan, dated 9th of July 1872, by which that gentleman in the name of the company of which he was the President engaged to build a railway to be called the Canada Central, to connect the railway system of Quebec with the Eastern terminus of the Pacific Railway, and another branch to connect that terminus with the City of Toronto. I quote from the French edition of the correspondence, and my rendering of it in English may be ot strictly accurate :

"I have the honor to inform you that if the contract for the construction of the Pacific Railway is given to our company we will engage, with the aid which the company may secure from the Governments of Ottawa and Quebec, and other assistance which may be given us, to construct a branch of railway from a point on the main line of the Pacific Railway near, and North of Lake Nipissing to Hull, opposite Ottawa, to connect at that point with the Northern Colonization Railway. * * * * This company will also undertake with such aid as may be granted by them and, other assistance, another branch of railway from the terminus of the Pacific Railway on Lake Nipissing, to a point in the Province of Ontario, which will connect the main line with the existing railway system of Toronto and other parts of the Province."

I have the honor to be, etc.,

(Signed,) HUGH ALLAN,
President of the Canadian
Pacific Railway.

Hon. J. C. AIKINS }
Secretary of State. }

According to this agreement the position of the Province of Quebec was this: it secured first the immediate commencement of the Pacific Railway at the eastern part of Lake Nipissing, and also the construction of another railway from that branch to some point near Aylmer or Hull to connect with the then proposed railway which was built by the Province of Quebec along the North shores of the St. Lawrence and the Ottawa. Since that time the Province of Quebec has built that railway to Aylmer, and the late Government, as far as I can understand their views in the matter, thought it was their duty to give compensation for the abandonment of the original scheme, and constitute the Canada Central as the connection, with the eastern terminus of the Pacific Railway at Nipissing. Hon. gentlemen will probably recollect that since 1874 the location of the Canada Central Railway has been changed; that at the time we objected to the location of the extension in the valley of the River Bonnechere, because we considered it was not a proper location. Since then the line has been changed to the Ottawa Valley, which we considered to be more advantageous to the Dominion at large, and our province in particular ; and secondly on the ground that it affords a better country for railway construction. I referred a moment ago to the deputation which recently waited upon the Minister of Public Works. It was stated to the deputation that the question was under consideration as to whether it would be better for the country to continue the building of that branch or to improve the navigation of the French River, in order to extend the navigation of Lake Huron as far east as the eastern end of Lake Nipissing ; and, as I stated before, I think it is that which induced my hon. friend to move his resolution against the Canada Central and the Georgian Bay Branch, with which he favored us yesterday. I must say we are indebted to the hon. gentleman for bringing such an amount of information on this subject before the House, but I think he has not read very carefully the reports that have been made on this question, and that if he had given it all the consideration which it deserved, he would not have found the scheme so unreasonable, as he seems disposed to do. The hon. gentleman has referred to the French River country as being extremely rocky. By referring to the report of Mr. Shanly, hon. gentlemen will see that it conveys a very different impression from that which my hon. friend has conveyed to the House. After having given what were the reasons for choosing that route, he says, for instance, in referring to the commercial bearing of the project under consideration :

"In reviewing the commercial bearings of the project under consideration, it must be apparent to the most indifferent looker-on, if he will only give the subject his serious attention for a little, that the claims of such a route as has been described—water, it may be said, the whole way, and nearly four hundred miles shorter, between the water and Lake Michigan than by the Great Lakes, are, at all events, deserving an impartial hearing. * * *

"No wholly artificial revenue can keep pace in increasing capacity with the gigantic commerce which is growing up to the west of Lake Michigan, and which will force us Canadians, into bolder undertakings than any we have yet embarked in. *Canada lies directly across the leading route* from the far west to the Atlantic seaboard, and over some portion of our territory the great tide of western commerce must for ever roll. * * * "I use the term navigation rather than canal in relation to the last named scheme, because, as before observed, it consists of an almost uninterrupted chain of waters—river and lake—demanding, just as we all remember the St. Lawrence did, certain detached sections of canal, to render the navigation continuous."

He further states that taking Chicago and Montreal as the objective points, the distance *via* the Welland Canal route is :

Lake navigation	.....	1,145	miles.
River "	.....	132	"
Canal "	.....	71	"
Total	.....	1,348	"

Now, taking the French River and Ottawa route, we find that the distance is :—

Lake navigation	.....	575	miles.
River "	.....	347	"
Canal "	.....	58	"
Total	.....	980	"

Or a saving of nearly four hundred miles in favor of the Ottawa route. Commenting on this, he says :

"From these figures it appears that, in point of distance, No. 3, which may be termed *par excellence* the Canadian route, holds a very wide advantage over No. 1 ; and, though possessing, in a lesser degree, a similar advantage over No. 2, is so far its superior in regard of lockage as *ceteris paribus* to entitle it to at least an equal share of attention."

As to the saving in time, he calculates that there would be a difference of 44 hours between Chicago and Montreal by the Ottawa route, as compared with the Welland Canal route. As to the reduction in freight rates, taking the prices of that day, he says that there would be a saving of 37 cents on each ton of freight carried between those two points by the proposed route.

Hon. Mr. POWER—I think that Mr. Shanly was dealing with a canal from Georgian Bay to the St. Lawrence by way of French River and the Ottawa, and these remarks do not apply to this question at all.

Hon. Mr. TRUDEL—I allude to the conference which took place some time ago with the Minister of Public works. I said that it was suggested at the time that if it was found to be impossible or inexpedient to continue the building of the Georgian Bay Branch, that to compensate the eastern part of the Dominion for its discontinuance, there might be some improvement made in the French River and Lake Nipissing in order to allow uninterrupted navigation from the great lakes to Nipissing, and there connect with the Canada Central. This was the project to which my hon. friend the mover of the resolution has objected. The hon. gentleman said it would be impossible to pass up French River otherwise than with small tugs. The report of Mr. Shanly goes on to state that up to that time an erroneous impression prevailed all through the country with respect to this river, and he says :—

"I have already in this report had occasion to refer to Admiral Bayfield's charts of our lakes, the accuracy of which is proverbial among those who 'occupy their business' in those 'great waters.' Singularly, however, an error or oversight in nomenclature on that portion of his chart of Lake Huron which shows the outlet of the French River goes to strengthen, if, indeed, it did not originate, the opinion referred to as common among the casual visitors to that coast—viz.: that the river is not accessible for a bigger craft than a birch bark canoe.

"Passing the 'Key,' which he indicated as the shortest route to Nippisingue, my guide bent his course for the Bustard Islands, and from thence steered directly for the 'large river' already referred to, the way into which from the islands being perfectly clear and unembarrassed. It thus for the first time became known to me that the French River had at least one outlet independent of those assigned to it by the chart, and that the large river, which most probably was considered by Bayfield as a distinct stream, is in reality that arm of the former by which, if ever it is to be adapted to the purposes of modern commerce, vessels will have to enter it. As for the other mouths, I have ascertained that they were rightly pro-

nounced to be inaccessible save as before observed by the Indian in his canoe.

"On reaching the mouth of the river I landed, and, looking back upon the bay over which I had just passed, it certainly did seem to fulfil all the external conditions of a noble harbor.

"The Bustard group completely protects it on the south and south-west, while a heavy sea grinding angrily against a projecting headland of granite on the north-west seemed to announce some shelter against the violent gales which so frequently assail the lake from that quarter. The bay within was perfectly smooth and unruffled, while without the water was still heaving and swelling from the effects of a storm."

So that the hon. gentleman will see that there is a great difference between this report and the fancy description which he gave of the same place in which he described the river as being so rocky that there was no possibility of navigating it.

Hon. Mr. READ—That is the only entrance he has described.

Hon. Mr. TRUDEL—So much having been said on this point, I consider it is better to quote more fully from the report. Mr. Shanly further states :—

"A vessel of whatever class, steamer or sailing craft, once within the Georgian Bay, could in any weather at least, as easily make the Bustard Islands as any of the more southerly ports, Owen Sound, Collingwood or Nottawasaga, while in the sweeping gales from the North-West, the scourge of Lake Huron, the run from Cape Hurd to the Bustards, having the shelter of the Great Manitoulin Island, would assuredly be far safer than that to any of the three lower harbors named."

Hon. gentlemen will see that it is the best harbor in the Georgian Bay :—

"Under the lee of the Bustard, vessels could anchor or moor in the most complete security, blow the wind from what quarter it might, and to drop thence into the river, the depth and directness of the channel being assumed as sufficient, would be practicable under almost any condition of weather short of actual storm.

"I consider the harbor formed by the Bay of the French River, described above, as capable of being rendered in every respect suitable for the entrance of a great ship canal. The ordinary adjuncts of lighthouses and piers would of course be called for, and a careful survey required to determine the proper site for such erections. It was my intention to have made such a survey in the summer of 1857, had I been permitted to proceed with the work embraced in my first instructions.

"For more than a mile from its mouth upwards, the river is broad, deep and still; in width from three hundred to four hundred feet; in depth probably twenty feet. The banks are of bold granite, that on the north side presenting the appearance of a monster artificial breakwater or pier, rising perpendicularly many feet above the water, and jutting out far into the lake, affording to the entrance complete protection from the blustering winds of the north.

Hon. gentlemen will see that so far as the question of harbor goes, the report is very favorable. It is true that to utilize the French River it would be necessary to make seven or eight locks; there is another report which says seven would probable be sufficient. Mr. Shanly gives a very full description of the work required there, and it is shown by his report that a great part of the work has been done by nature. Describing the rapid of *Les petites Dalles*, to which in fact all the others are similar, he says :—

"This table rock is admirably adapted for the reception of a lock. Such a structure of the largest required proportions, would be almost its whole area, for in width, it can scarce boast of one hundred feet, when it is overshadowed by a beetling cliff of the same imperishable formation as that upon the opposite side."

Then he goes on to describe the navigation of the river, and says he has made soundings all along the channel, and that it gives a general depth of water of more than twenty feet. He says, of course, that part of the river that would require locks is a succession of small lakes which are admirable expanses of deep water for navigation. He says :—

"I estimate that the construction of seven locks and eight dams, with not to exceed three-quarters of a mile in length of rock cutting, exclusive of that required for the locks, embraces all the work necessary to admit of the transit from Lake Huron to Lake Nipissingue of vessels of one thousand tons burthen.

"The French River might more properly be described as a succession of lakes than as a continuous river. The ascent is made in a series of level terraces; the rapids or falls between which are short, assuming, in nearly every instance, the cascade form. The depth of water between rapids is very great. I took soundings throughout with my own hand, and rarely lighted upon any spot where less than twelve feet of water was to be had, three times that depth probably being more common."

My hon. friend, in his zeal to make out his case, made some calculations to which I am bound to call the attention of the House. For instance, taking the whole

navigation of Nipissing and French River, he calls it eighty miles of a canal. It is unusual to call a lake of from sixteen to twenty-five miles wide a canal, when it is deep and navigable for almost all of that expanse. He calls Lake Nipissing and the whole of the French River a canal—when it is a matter of fact that, in the whole distance, there is only three-quarters of a mile of canal altogether, including the locks that are required to pass the rapids. But my hon. friend, in the enumeration of the difficulties to be overcome there, after stating there is eighty-one miles of canal, adds seven locks and three-quarters of a mile of rock cutting. The fact is, that it is the seven locks that require the three-quarters of a mile of rock cutting, and the seven locks include the one mile of canal—the only obstruction in the way. It will be seen that there is a great difference between the calculations of my hon. friend, and the report of Mr. Shanly. In another part of the report, Mr. Shanly gives a table which shows that French River affords forty-nine miles of natural navigation, and one mile of canaling—in all fifty miles. Now comes the question of these dams. I do not pretend to give an estimate, but I think the actual cost would be far below the figures given by the hon. gentleman, and I would suggest, that if the Government would consent to return to the old scheme of 1872, and undertake the main line towards the west, we would at once say, let us abandon, for the moment, this scheme of the canalization of the French River, or building the Georgian Bay Branch; but if the finances of the country will not allow us to build the main line, it is in the interest of the country that we should begin and improve the route which is by far the shortest, and which will, no doubt, be the line of the future; and it is our duty to commence to initiate a work in this direction that will promote the settlement of that neighborhood. My hon. friend has said there is no possibility of settling that country, or there is no agricultural land there. Mr. Shanly, speaking of the country around French River, says:

"The scenery of the Thousand Isles of the St. Lawrence is tame and uninteresting as compared with the endless variety of island and bay, granite cliff and deep sombre defile, which mark the character of the beautiful, solitary French River."

So much for the aspect of the country. I will, in a moment, satisfy the House as to the advantages of the country from an agricultural point of view. I shall now refer to the report of Mr. Clarke, a civil engineer, who surveyed the whole of the route in 1860. He concurs in the view of Mr. Shanly, to a certain extent. Mr. Shanly estimated the cost of the opening of the whole Ottawa, Lake Nipissing and French River Navigation, at about $24,000,000. Mr. Clarke estimates that the work would not cost much more than $12,000,000. My hon. friend has cited figures to show for instance, that the Welland Canal has cost up to the present time, $12,300,000. I do not pretend to criticise the expenditure on this canal. It was to the interest of the country to enlarge it, as there is such a large amount of traffic between the great lakes. But this ought not to prevent us examining another route which affords many more advantages to the country than the route by the Welland Canal. It is our duty to take into serious consideration the commencement of the improvement of what has been always considered as the main route—in fact, the only excellent route, because of its shortness—and the great advantages which it affords for the transport of the produce of the west to the ocean. The hon. gentleman for Saugeen has shown that a very small proportion of the American freight comes by Canadian waters. I think that this is a strong argument in favor of improving a route which is 400 miles shorter than the route by the Welland Canal. The saving in distance and time would be a sufficient inducement to bring the whole trade of the great west down the Ottawa and St. Lawrence, which now comes by American routes. Referring to the last census of the United States, I shall give a few figures from it to show what I consider are the strong reasons for improving the water communication by French River and Lake Nipissing. My intention was to give the proportion of the products of the Western States that came by our waters, up to the present time, but I see by the statistics of the United States, that there is no discrimination made between the exports of the different states

respectively. The latest official and complete report I have is the census of 1870, and I find in it what the five States, Illinois, Wisconsin, Michigan, Indiana, Iowa and Minnesota, for which Lake Michigan and the Canadian waters are an outlet, produced in the year 1870:

STATES.	Wheat.	Indian Corn.	Oats.	Barley.
Illinois	30,128,405	129,921,395	42,780,851	2,456,578
Wisconsin	25,606,344	15,033,998	20,180,016	1,645,019
Michigan	16,265,773	14,086,238	8,954,466	834,558
Indiana	27,747,222	51,094,537	8,590,409	356,262
Iowa	29,435,692	68,935,065	21,005,142	1,960,779
Minnesota	18,866,073	4,743,117	10,678,261	1,032,024
	148,049,509	283,814,352	112,189,145	8,285,220

Total Bushels.....552,438,226.

The quantity of four most important sorts of grain raised for that year amounted to 552,438,226 bushels. Since that time, if we judge by the increase in Minnesota, which, in 1860, produced only 2,186,933 bushels of wheat, and in 1870 produced 18,866,073 bushels, we can have an idea of the proportionate increase of the productions from 1870 up to the present time. This will also give an idea of the rapid increase in the quantity of produce raised in Dakota and others of the Western States, which must find its way to the ocean through the great lakes, and the greater portion of it would come through our country if the French River were sufficiently improved to offer an inducement for freights to take that route. Coming to the report of Mr. Clarke, I see that he entirely concurs in what Mr. Shanley said as to the mouth of French River. Speaking of the Bustard Islands he says:

"This debouchment of French River is entirely land-locked. To the west lie a large group of Islands known as the "Bastard Islands," which completely shelter the mouth of the River from the westerly and southwesterly winds of Georgian Bay. The main land affords protection from the northerly winds."

Mr. Clarke quotes from Mr. E. R. Blackwell as follows:

"The channel to the entrance of French River lies at the northerly extremity, and close under these Islands. There appears to be several deep and broad channels divided by sunken reefs, and I am confident that a spacious entrance can be marked out free from these treacherous sunken rocks, which mark the whole cost of Georgian Bay."

I think Mr. Clarke's report as to the character of the mouth of the French River, is entirely against the pretensions of my hon. friend. Then there is another report with which, no doubt, the hon. members of this House are familiar, but as this work took place before Confederation, some of the hon. gentlemen from the Lower Provinces may not have had an opportunity of referring to it. In 1863, a committee was appointed by the House of Commons to enquire into the advantages afforded by that route. This report of that committee, which is published in

the Journals of 1863, says, speaking of the costs of insuring:

"The difference in point of safety between lake and river navigation involves risk, and consequently, greater expense for insurance. The proposed route by the Ottawa between Lake Huron and Montreal is entirely free from such risks and expenses."

Then it goes on to discuss the advantage of the abundance of water supply from Nipissing, to feed all the canals of the Ottawa, and says:

"Respecting the harborage that can be afforded at the mouth of French River, the evidence of the engineer is very favorable. A clear channel is found from Open Lake passing in deep water and free from any obstruction, into the mouth of French River, and the formation of the shore is such as to afford good harborage and protection for vessels."

Subsequently he refers to the quantity of grain which, according to the evidence before the committee, was likely to pass down from the west by this route as one hundred and twenty millions bushels per annum. He then continues:

"In considering a subject of this magnitude and peculiar character, your committee are sensible of the necessity for exercising due caution in arriving at calculations. On this point, however, they feel that the evidence which is herewith presented is full and convincing.

"The character of the country through which this proposed line of navigation passes is varied. The easterly portion, being rather more than half the total distance, lies in a well settled, populous country, and is at present navigated by large class steamers. The westerly portion is through a wilderness, which, as yet, is only frequented by the hunters, the voyageurs, or the lumbermen. But, though wilderness, it is the very heart of the finest pine forest known in the world, and would yield immense amounts of lumber for export; at the present time the trade in lumber is the largest export trade of home products in Canada, and the supply in this quarter is, with judicious management, almost inexhaustible. The opening of this line of navigation would afford a market second to none in the world, for the sawed lumber of that immense region. The country is of the granitic formation, rather hilly, and perhaps from seventy to seventy-five per cent of the land is better adapted to timber growing than tillage. There are many extensive tracts of good arable land, beautifully situated and well watered, which will eventually, and perhaps at no very distant day, support a large population; but the general character of the region is different. When it is considered that the tract of country here spoken of exceeds in area the whole of the five New England States together, it will be apparent that there is room for varieties as regards qualities of soil.

"One uniform feature, however, prevails. The country throughout is covered with heavy forest, and the largest portion of that forest would become marketable wood, only the superior qualities of pine are worth the cost of manufacture and transport at present, and even that is limited to the portion of the region where waters flow to the Ottawa.

"With this navigation opened through to Lake Huron, the wood of all kinds would be marketable; even the coarsest qualities would furnish fuel for the prairie countries. The trade in wood for fuel at the Port of Chicago alone in 1862, exceeded $500,000, and the demand must increase and continue."

This shows that there is ground sufficient to busy the man of which my hon. friend spoke.

Hon. Mr. CAMPBELL—There is no pine there at all. I was through that country some years ago, and we encamped night after night on the banks of French River and the banks of Lake Nipissing, and we never could find ground enough to drive our tent pegs in.

Hon. Mr. TRUDEL—That might be the case along the banks of the river. For instance if the hon. gentleman had visited the Saguenay he would have found the same thing, but that does not prevent us from finding also thousands of acres of arable land around Lake St. John, and one of the richest sections in Quebec there. The same may be said of the St. Lawrence above Quebec. Behind the banks of savage and rocky aspect, are the beautiful parishes of St. Augustin, Ste. Foye, etc. I do not speak of French River as a place for settlers along its banks. French River is a stream 50 miles long by which the waters of Lake Nipissing are connected with Lake Huron. I speak from the report of Mr. Clarke, and of the committee presided over by Mr. Bell, a man of great ability, and perfectly competent to judge of these matters—I think he was a civil engineer—at all events, the committee, of which he was the chairman, was composed of very able men. It does not follow that, because the banks of the river are granite, that the country back from the river is of the same inhospitable character.

Hon. Mr. CAMPBELL—No; it does not.

Hon. Mr. TRUDEL—That is the point, and it may be an advantage to the navigation to have the river as it is. Mr. Shanly says it is admirably adapted for the construction of locks, and that part of the work has been done by nature.

Hon. Mr. READ—Mr. hon. friend has not read quite far enough in the report.

Hon. Mr. TRUDEL—The reports are open to everybody, and I am confident that those who read them will come to the conclusion to which I have come myself, that it is the duty of the public men of this country to look very carefully into the question of opening up this route for western traffic, as I think there is no other route to compare with it. I received, a few days ago, a letter from a man of good standing in the locality, who generally takes a great interest in the colonization of this northern part of the Province of Ontario. He says :—

"HON. SENATOR TRUDEL,
Ottawa.

"It is with the greatest pleasure that I communicate to you what I personally know about the country south of Lake Nipissing. During the last three or four years the population in the Nipissing District has increased very considerably. In 1871, according to the census, the population of Muskoka District was 5,400 souls, and in the District of Parry Sound 1,519, the population of the two districts being 6,919."

Hon. Mr. CAMPBELL — Neither Muskoka nor Parry Sound rely upon the navigation of the Nipissing.

Hon. Mr. TRUDEL—He speaks of Parry Sound and the district of Nipissing, which are adjoining.

Hon. Mr. CAMPBELL—I mean to say that the district of Parry Sound and Muskoka are in no way dependent upon Nipissing or any navigation that may be made to Nipissing.

Hon. Mr. TRUDEL—My hon. friend is slightly mistaken, because the district of Nipissing comprises the South River, where there are several thousand people settled now. This gentleman speaks generally, and, I think, if my hon. friend will allow me to read the letter it will give some details which will probably be interesting. The writer continued :—

"The said Districts of Parry Sound and Muskoka comprise all the territory south of Lake Nipissing to River Severn, near Lake Simcoe, and I am now satisfied that the population of these territories have increased fourfold since then. Two considerations especially encourage settlers to go there : first, the free grant system which the Government of Ontario has adopted to colonize the country, and second, the prospect of having the Canada Central and Georgian Bay Branch Railways. It is especially in the District of Parry Sound that the population has augmented. For instance, the District of Parry Sound, which had 1,519 inhabitants in 1871, has now, I am sure, a population of not less than 15,000.

I say that this is a complete answer to the pretension of the hon. gentleman, that the French River and Lake Nipissing are entirely a wilderness. Of course, it is an entirely new country. I understand that most of these settlers are in the neighborhood of the Severn River and Lake Simcoe, and there is not so much population towards the north, but, it will be seen by this letter, that there are a good many settlers in the townships adjoining Lake Nipissing.

Hon. Mr. CAMPBELL—The hon. gentleman is mistaken. The writer describes the district of Parry Sound, which is not connected with Lake Nipissing at all. The hon. gentleman might as well draw conclusions of the place where we are now talking of by reference to the soil of Prescott. It has nothing to do with the character of the country around Lake Nipissing. There are no settlers there, and there is nothing in the letter to show that there are such advantages there as exist in the Parry Sound District.

Hon. Mr. TRUDEL—The hon. gentleman will allow me to finish the letter. The writer continues :—

"The soil is much better for farming purposes, on the south of Lake Nipissing, and from that Lake to River Maganetawan, which flows into Georgian Bay. The ground, favorable to the culture of corn, is in a proportion of 50 to 80 per cent. All kind of wheat and other products succeed well : such as winter wheat and spring wheat, oats, Indian corn, potatoes, etc. I enquired about the number of bushels of wheat which the harvest of last summer yielded to each of them, and they agree in saying that the average for each farmer is from 20 to 30 bushels. It is chiefly in the three townships of Nipissing, Hurd, and Himsworth, on

the South River, which flows into Lake Nipissing, that the settlers alluded to have located lands. The soil there is very fertile, and it is there that I advise them to go."

I may state to the House I was never there, but I see that the district is immediately adjoining Nipissing Lake on the South River, and I see that South River flows into Nipissing, and I see by this letter that the three townships he speaks of, Nipissing, Hurd and Himsworth are the places where those pioneers have settled, and I see that these townships are marked on the map as being on the shore of Lake Nipissing I received this letter from a friend; I knew that he was living there and I wrote to him, and this is the answer I received. I do not think he would deceive me, but of course I cannot guarantee the accuracy of the statement. Whatever may be the differences of opinion on this subject, I think I have said enough at all events to call the attention of hon. members of this House to the matter. I do not pretend to form the opinion of hon. gentlemen; I do not pretend at all to give information which is before every hon. member; my only desire is to call the attention of hon. members to documents which are within the reach of everybody, but which, unfortunately very few take the trouble to consult. I consider that the future prosperity of the country depends greatly upon the settlement of the part of Ontario towards the north of Lakes Huron and Superior, and I consider that something should be done that will prepare for the future, which I hope is not far distant—the building of the Pacific Railway along the northern part of Lake Superior. We have heard during the past five or six years, hon. gentlemen who are so much opposed to the views which I have expressed, speaking against the policy of the water stretches. We have heard them advocate the necessity of building an all-rail route from the Atlantic to the Pacific; we have heard them criticising very bitterly and very severely the policy which would bring a different state of things. It was contended that the water stretches being frozen in the winter season, the work done in that direction would be useless for six months in the year. All these remarks, however, apply with equal force to Lake Superior; and we will not have a route open all the year until we build that part of the Pacific Railway, which will run north of Lake Superior. I do not see how it is so absurd to advocate the commencement of the work from the eastern terminus of the Pacific Railway, when in 1872 it was considered the most desirable policy, when, we ought to be satisfied that this location of the Pacific Railway was not adopted without due consideration and the examination of the ground, and a due appreciation of the advantage of adopting such a line of railway. This is my view of the case, and as I stated before, I see no reason to change it. I perfectly admit that in the present financial condition of the country we should be very cautious about undertaking expensive public works, but those remarks apply equally well to other parts of the Pacific Railway. Some hon. gentlemen say, "Let us construct the portion from Selkirk westward;" others say, "No, let us build the portion from Thunder Bay to Selkirk;" others say "No, let us build the section north of Lake Huron that will connect with the Northern Pacific at Sault Ste. Marie; it is useless to expend money anywhere else." With such a variety of schemes, it would appear that these different views all partake, to a certain extent, of a local character, and I think the best thing to do is to return to the old policy of 1872, and if we cannot do now in the Ottawa Valley what was proposed at the beginning, let us at least do something to bring the commerce of the west in this direction, and postpone the building of the Pacific Railway to a later period.

Hon. Mr. ALEXANDER moved the adjournment of the debate.

The motion was agreed to.

BILL INTRODUCED.

The following Bill from the Commons was introduced and read the first time:

Bill (31) "An Act to amend and consolidate the laws respecting duties imposed on Promissory Notes and Bills of Exchange."—(Hon. Mr. Aikins.)

The house adjourned at 6 p. m.

THE SENATE.

Wednesday, April 23rd, 1879.

The SPEAKER took the chair at 3 o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

The following bills were introduced and read the first time.

Bill (M) "An Act respecting certain Ordnance and Admiralty Lands in the Province of Nova Scotia and New Brunswick." (Hon. Mr. Campbell).

Bill (N) "An Act to amend and consolidate the several Acts respecting Public Lands of the Dominion." (Hon. Mr. Campbell).

THE CAMPBELL DIVORCE CASE.

THE BILL REPORTED FROM COMMITTEE.

Hon. Mr. DICKEY, from the Committee to whom was referred the Bill (K) "An Act for the relief of Eliza Maria Campbell," reported it with amendments. He explained that the sixth clause, which provided for a possible increase of the allowance, was struck out, and the anuuity was reduced from $600 to $500, being the amount at which the husband was willing that the petitioner should get relief. He moved that the report should be taken into consideration to-morrow.

The motion was agreed to.

SUPERVISION OF PRIVATE LEGISLATION.

REPORT OF THE COMMITTEE WITHDRAWN.

The Order having been read :

That on the consideration of the report of the committee appointed to ascertain the best means of supervising private legislation, he, (Hon. Mr. Bellerose), will move that the 60th Rule of the Senate be rescinded, and that the Senators be summoned to consider the following Rule proposed to be substited therefor :

Every Private Bill when read the first time is referred to the Committee on Standing Orders and Private Bills to ascertain and report whether or not the said Bill comes within the classes of subjects assigned exclusively to the Legislatures of the Provinces.

Every Private Bill after its second reading is referred to the Standing Committee on Private Bills, or to some other committee of the same character; and all petitions before the Senate for or against the Bill are considered as referred to such committee.

Hon. Mr. BELLEROSE explained that he had changed the phraseology of this motion since the report of the committee had been presented to the House. He moved that the report of the committee be referred to a committee of the whole House to consider these changes.

Hon. Mr. DICKEY thought this course unnecessary and irregular. It was for the House to deal with the matter, either by adopting the report or amending it.

Hon. Mr. CAMPBELL thought the change in the phraseology was an improvement ; it made the notice more clear and decided than the first one.

Hon. Mr. CHRISTIE said it was a very unusual course to refer a report of a select committee to a committee of the whole House, and specially to refer it with instructions to change it. The better plan would be to refer the report back to the select committee with instructions to make the suggested amendments.

Hon. Mr. MILLER said that such a thing as referring a report of a special committee to a committee of the whole House was very unusual and, perhaps, without a precedent. If the House desired that the report should be amended, they should sent it back to the same select committee.

Hon. Mr. POWER said that this rule which it was proposed to substitute for the 60th rule of the House applied to all private bills and might cause considerable inconvenience. A private bill, to which no objection could be taken on the ground of its constituuionality, might come up towards the close of the session, and by its reference to this committee, might be so delayed that it would be lost. Any hon. gentleman who might be opposed to the measure would have the power to insist upon the rule being enforced. It seemed to him, (Mr. Power), that the rule should only apply to bills as to the constitutionality of which there might be doubt.

Hon. Mr. BELLEROSE asked leave to withdraw the report.

The order was discharged, and the report was referred back to the special committee.

CONTAGIOUS DISEASES (ANIMALS) BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of BILL (55) "An Act to provide against Infectious or Contagious Diseases affecting Animals." He said: From the experience gained in the United States, where pleuro-pneumonia has existed for some months, perhaps for years, it is advisable we should have some legislation on the subject. Some clauses have been introduced for the purpose of meeting the difficulty and stamping out, as far as possible pleuro-pneumonia, or any other contagious or infectious diseases that may exist among animals in this country. The first clause is a defining clause. The second renders it imperative on cattle owners or dealers, on perceiving the appearance of infectious or contagious diseases among their cattle to give notice of the disease to the Minister of Agriculture: if any cattle owner or dealer neglects to comply with this enactment, he is subject to a penalty of $200. For keeping diseased animals, or allowing them to graze, a similar penalty is imposed. Penalties are also imposed for bringing such animals to market or for throwing their carcases into rivers, etc. The sixth clause gives power to seize diseased animals. The other provisions of the Bill are already in existence.

Hon. Mr. DICKEY—The Bill before the House raises the point whether all its provisions come within the jurisdiction of this House. Sections 9, 10 and 11 relate to the importation of animals, and I believe that the Government in Council have acted upon an assumed authority in the cases of cattle supposed to be affected by pleuro-pneumonia imported into the country. But the first clauses of the Bill go very far beyond that, and apply to cattle in this country. I submit that the question of the public health comes entirely within the control and purview of the local legislatures. That point was settled in a discussion which took place on the subject in the early part of this session. I hope that the attention of my hon. friend will be directed to this matter before the Bill is referred to Committee.

Hon. Mr. CHRISTIE said that he had not had an opportunity to peruse the Bill carefully, and he would like to have the second reading postponed until to-morrow.

Hon. Mr. AIKINS said the Bill had been lying on the desks in this House for two days. However, he had no objection to the postponement.

Hon. Mr. MILLER did not agree with the hon. Senator from Amherst that the clauses which he had pointed out were *ultra vires*. The infectious diseases of cattle did not come under the "public health," but of "trade and commerce," and the Bill was not, therefore, open to the objection which had been raised.

Hon. Mr. CORNWALL said that the clauses referred to were so inapplicable to British Columbia that he would move, in Committee, that they shall not take effect in that Province.

The order was discharged.

LA BANQUE JACQUES CARTIER BILL.

SECOND READING.

Hon. Mr. TRUDEL moved the second reading of Bill (50) "An Act respecting 'La Banque Jacques Cartier'." He explained that the object of the Bill was to reduce the capital stock of the Bank.

The Bill was read the second time.

MERCER REFORMATORY BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of the Bill (76) "An Act respecting the Andrew Mercer Ontario Reformatory for Females." He explained that sometime ago a person named Mercer died in Ontario without leaving a will, and without any relatives that could be

discovered, and his property lapsed to the Crown. The Ontario Government thought it advisable to use it for the purpose of establishing a reformatory for females, and they found it necessary to come to this Parliament for certain powers.

The Bill was read the second time.

RECEIVER GENERAL'S AND PUBLIC WORKS OFFICES BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (66) "An Act respecting the offices of Receiver General and Minister of Public Works." He said: I believe that one of the very few points on which the late Government and the present Administration are in accord, is the abolition of the Receiver General's office. A bill was introduced last session for that purpose, which met with an untoward fate in this House. The present Government unite with the late Administration in desiring to abolish the office which I now hold, and have decided upon carving a new office out of the Public Works. Even my hon. friends opposite, who represented the late Government in this House, will agree that the duties which devolve on the Public Works Department are greater than those of any other department. It is proposed to create a Department of Railways and Canals, and to leave the management of all other public works to the Department of Public Works. The various clauses of the Bill can be discussed in committee.

Hon. Mr. DICKEY—It will be remembered that when this matter was up last year for the abolition of the Receiver General's office, I strongly urged the late Government to postpone the consideration of that Bill until the measure which was pending in another place reached us, and we should then be enabled to deal intelligently with the whole subject. My own opinion was decidedly that the office of Receiver General was entirely unnecessary, and I so expressed myself; but, at the same time, I was not prepared to abolish it without providing a substitute for it. That substitute has been provided by the office of Auditor General. The Government, unfortunately, at that time did not adopt the suggestion but pressed the Bill and forced many of us, who were desirous of abolishing the office, but who desired also to have a substitute for it so that the Finance Department should not be without any check at all, to vote against it. Had the late Government postponed their Bill until the Auditor General Bill came up, they would have had the credit of abolishing a useless office and thrown upon the present Government the responsibility of creating a new one.

Hon. Mr. MACPHERSON—I have no objection to that portion of the Bill which provides for abolishing the office of Receiver General. I agree with what has fallen from my hon. friend from Amherst on that subject, that if the Bill had been delayed last session until the Auditor General Bill was before the House, the probability is that the Receiver General's office would have been abolished at that time and the new system would have gone into thorough working before now. With respect to the other part of the Bill, I must confess that I do not like it. While I do not intend to offer any opposition to the measure, I must say that I consider it a move in the wrong direction. I am sorry to see departments divided. I objected last session to the proposed division of the Department of Justice. I could see no necessity for it, and I cannot see any necessity for dividing the Department of Public Works. On the contrary, I think that there should be fewer departments presided over by Cabinet Ministers, and I should like to see introduced the system which prevails in England—the introduction into the Government of gentlemen, who, in England, are known as under secretaries. In this country, that title would probably not suit, but we could find titles which would. The heads of departments are necessarily, to a great extent, political officers. Their duties are largely political—and these duties interfere very much with the duties of their offices. Under secretaries would be able to give their undivided attention to their departmental duties, and the consequence would be that the details of the public service would be

better managed than is possible under the present system, because we all know how the attention of Cabinet Ministers is diverted from their offices at all seasons of the year, especially during the sessions of Parliament. There would be another advantage in adopting the system which I suggest. It would bring into the Government a class of younger men who, for a time, until they had seats in the Cabinet, would devote their attention to their departmental duties and represent their offices in Parliament, because, I think they should have seats in Parliament. That would be a course of training for the higher official duties of Cabinet Ministers. The advantage of bringing in younger men is very marked, because they would, under the system of training that I speak of, develope into experienced statesmen before becoming Cabinet Ministers, and, furthermore, it would afford an opening for gentlemen who are well fitted for the duties I speak of, but who fill no offices at present, because gentlemen who have been Cabinet Ministers, if taken into a Government cannot be offered any position inferior to that of Cabinet Minister, which they had previously filled. Under the system which I suggest, the number of Cabinet Ministers would be reduced, and some of those who had been members of former Administrations would go, as it were, on the retired list and make room for younger men who would eventually become Cabinet Ministers. I should have preferred to see that system adopted instead of dividing the Public Works Department, which could continue to be well managed under one head. We must remember that in dividing a department, especially this one, we are creating a new spending department. It is impossible to divide a large department like that of the Public Works into two without increasing the gross expenditure : the two will expend more than the administration of the duties of the two under one head would cost. There can be no doubt of that, and retrenchment should be the study. Then, again, I look with a good deal of apprehension to the establishment of a department for the management of railways—that is, substantially, what is proposed. Canals are put in the same department, but they are managed with comparative ease. Under our system of government it would be very difficult for the head of the Railway Department, being a Minister, to prevent abuses which he would be very sorry to permit if he were aware of them ; but still they would creep in under our system of government. Besides, the railway itself, in its management, is very apt, indeed certain, in my opinion, to become what our neighbors call "a political machine." That means it is open to very great abuse and extravagance in spite of the greatest possible vigilance, which, we may be sure, would be exercised by the gentleman at the head of it, especially by a Minister of the Crown, who would be desirous to manage it in a manner that would enable him to defend his administration before Parliament and the country. I have been of opinion that the arrangement which the late Minister of Public Works made, with respect to the management of the railways of the Dominion was a wise one—placing an able manager in charge and away from his own Department, away from Ottawa, so that every application for office or for contracts had to pass through an experienced and high officer before it came to the Minister, and saved the Minister, therefore, from the pressure of those whose importunities it might be difficult to resist. As I said at the outset, I have no intention to oppose the Bill, but I thought it necessary to state my objections to it.

Hon. Mr. TRUDEL—I confess that I do not consider myself qualified to judge of the working of the Departments as it is proposed to organize them, or as they are now, but I think there is a great deal of force in what has been said by the hon. Senator for Saugeen. It would be a decided advantage in the administration of public affairs, if the gentlemen who have to fulfil the duties of political leaders of the Government were not troubled with departmental duties. I have looked into the matter, and I find that the duties assigned to the Minister of Railways and Canals will be much more considerable than the share allotted to the Minister of Public Works. I think that the duties woul have been more evenly divided if the canals had remained under the management of the Public Works Department. However, this is a mere suggestion.

The Bill was read the second time.

THE SOVEREIGN FIRE INSURANCE COMPANY'S BILL.

THE AMENDMENTS CONCURRED IN.

Hon. Mr. McMASTER moved concurrence in the amendments made by the committe on Banking and Commerce to Bill (18) "An Act to amend the Acts respecting the 'Isolated Risk and Farmer's Fire Insurance Company of Canada,' and to change the name thereof to the 'Sovereign Fire and Marine Insurance Company of Canada.'"

Hon. Mr. BELLEROSE—The question which is now submitted to the House is one of very great importance. It is not one which affects Ontario and Quebec merely; it is a question of right or wrong, justice or injustice—a question of principle. In December, 1872, certain gentlemen in the Province of Quebec obtained from the legislature of that Province a charter to incorporate them under the name of the "Cultivator's Insurance Company of the Province of Quebec." The object of the company, as set forth in the first clause, is as follows:

"Insuring against fire and accidents, caused by lightning, the buildings of cultivators, and all other isolated buildings, the cattle and chattels, or movable effects contained in such isolated buildings, or upon the farm."

So that it will be seen that it was in the true sense of the term an isolated risk and farmer's insurance company. As soon as it became known that they had obtained their charter, another company, known as the Isolated Risk Insurance Company, whose head-quarters were at Toronto, came to us before we had time to organize and proposed to amalgamate. The fact that such a proposition was made proves that the Ontario Company believed that their business was confined to isolated risks. The proposal was accepted in February 1873, and the Act, amalgamating the two companies, was passed by the Federal Parliament in the spring of that year, the names of both companies, according to arrangement, being taken as the title of the amalgamated company. About two years ago some of the Ontario shareholders proposed to the Quebec shareholders to go into a general insurance business. We objected. And here I must admit that we in Quebec were, to a certain extent, negligent, for, although we stipulated that the business was to be confined to isolated risks, we did not examine with sufficient care the charter of the Ontario company. It was only on reading the Act that we found the power was granted to do a general business. I wish to call the attention of the House to the peculiar character of this Act, because it is a principle of legislation that the title of a bill must show its object. The title of this Company is "The Isolated Risk and Farmers' Fire Insurance Company of Canada," and I contend that they are open to a suit for doing an insurance business different from that which is described in their title. However, that is a legal question. To show that we were not unreasonable, I may state that when our attention was called to the fact that we possessed the power, under the Act, to do a general business, I, for one, said, "let us try it." We did so, and in Toronto we succeeded pretty well, but in the Province of Quebec the experiment was a failure. A meeting of the Directors was called this year to decide the question whether we should change the name of the Company. That meeting was held after notices had been given in newspapers of the intention of the Company to so amend their Act of Incorporation. The Directors who attended that meeting decided upon changing the name, and petitioned Parliament for an Act for that purpose. This Bill was presented and was read the second time before it was submitted to the shareholders. A general meeting of the Company was held in Toronto on the 20th of March, and I admit that this Bill having been accepted at that meeting, the previous irregular proceedings of the Directors could no longer be considered illegal. There are some 250 shareholders of the Company in Quebec, some of them residing in Bonaventure, Gaspe and other eastern counties. These shareholders could not attend this meeting in the city of Toronto, but they gave four of us their proxies, to the amount of between fifteen hundred and two thousand shares. I hold them in my hand at this moment, and will show them to anyone who wishes to see them. But there being a clause in the Act of Incorporation which provided that no shareholder could give more than one hundred votes by proxy,

We four shareholders from Quebec, though holding nearly 2,000 proxies, could only give in all some 450 votes. In the Province of Ontario the whole of the stock is held, I believe, by some twenty-five or thirty gentlemen, fourteen of whom reside in Toronto, and most of the others in Hamilton and London—cities near Toronto. Most of them are rich men and they could, with little inconvenience, attend the meeting; while in Quebec the shareholders, who number some two hundred and fifty-odd, are generally persons possessing little means. The vote at the shareholders' meeting stood 1,800 in favor of the Bill, against less than 500, although, as I have stated, we held proxies, amounting to a majority of shares, which we could not give. I merely mention this to show that no argument can be based upon the apparent majority in favor of the Bill. I will not say that a majority of the shareholders were opposed to the Bill, because, no doubt, if all the proxies had been sent in from both provinces, the vote would have stood 3,000 for and 3,000 against, or very near that. The amalgamated company has a subscribed capital of $600,000, half of which is held in Ontario and half in Quebec, and ten per cent. has been paid up, so that we stand in an equal position in the two provinces. The following petition has been presented to Parliament by the shareholders in the Province of Quebec:

To the Honorable the Members of the Senate:—

The Petition of the undersigned, residing in the Province of Quebec, and shareholders of the "Isolated Risk and Farmer's Fire Insurance Company of Canada—having its chief place of business in the City of Toronto.

RESPECTFULLY SHOWETH:

That in the year 1873 the Honorable J. H. Bellerose, the Honorable L. Archambeault and others were incorporated by the Legislature of Quebec as an Insurance Company, by the names of "The Cultivators Insurance Company of the Province of Quebec, for the purpose of insuring against fire and accidents, caused by lightning, the buildings of cultivators, and other isolated buildings, the cattle, etc., etc." The said Company having its principle office in the City of Montreal.

That after having obtained its charter the said Company amalgamated itself with the insurance company, called "The Isolated Risk Fire Insurance Company of Canada," having its chief place of business in the City of Toronto.

That as its title indicated, the said "Isolated Risk Company" was also a company for the purpose of insuring farmers' buildings and other isolated buildings,

That "The Cultivators' Insurance Company of the Province of Quebec" consented to the said amalgamation only with the understanding that the company formed by the amalgamation should bear the name of "The Isolated Risk and Farmer's Fire Insurance Company of Canada."

That the object which "The Cultivators' Insurance Company of the Province of Quebec" had in view, was to avoid risking its capital in general insurance operations, etc., etc.

That now, contrary to such understanding, notices have been published in newspapers to the effect that, "The Isolated Risk and Farmers' Fire Insurance Company of Canada" will apply to Parliament for amendments to its charter whereby the name of the said company would be changed. * * And that, moreover, the said company has already caused a petition, praying for such amendment, to be presented to your hon. House. * * * *

That, moreover, the proposed changes have not the sanction of the shareholders formerly comprising "The Cultivators' Insurance Company of the Province of Quebec."..... Whereupon your petitions pray your hon. House to reject each and all of the said amendments which they consider contrary to the understanding without which they would never had consented to the said amalgamation.

I was astonished to hear the other day an hon. gentleman assure us that the object of the Bill was merely to change the title of this Company, and that there was nothing new in it. I repeat what I have already stated, that it is a principle of legislation that the character of a Bill must be indicated by its title, and, therefore, the title of the charter shews that it was never intended when this Company was incorporated, that it should do a general insurance business. If the case stands thus—and I challenge any gentleman to deny that it does—I ask would it not be contrary to all sound principles of legislation to allow half of the shareholders to force the other half to engage in a business which was never contemplated when the Company was incorporated, and which involves great risk? That it is a hazardous business there can be no doubt; witness the ruin of the Stadacona Insurance Company by the fire at St. John's, of the National Insurance Company by the fires at St. John's and St. Hyacinth, and the Citizens' Insurance Company, in all of which I am a shareholder, and from one of which I have just received

a notice that another call has been made to meet losses by fire. Now, is it fair to force half of the shareholders in this Company to engage in such a hazardous business? In England they are cautious in these matters. I find among the standing rules of the Imperial Parliament the following:—

73. Every Bill originating in this House and conferring additional powers on the promoters thereof, being a Company already constituted by Act of Parliament shall, after the first reading thereof, be referred to examiners, who shall report as to compliance or non-compliance with the following Order:—

At such meeting the said Bill shall be submitted to the proprietors aforesaid then present, and approved of by proprietors, present in person or by proxy, holding at least three-fourths of the paid-up capital of the Company represented at such meeting.

74. Every Bill originating in this House, and empowering any Company to do any act not authorized by the Memorandum and Articles of Association of such Company, or other instrument or instruments constituting or regulating the same, shall, after the first reading thereof, be referred to the examiners, who shall report as to compliance or non-compliance with the following requirements:—

The Bill as introduced or proposed to be introduced in this House shall be consented to by a majority of three-fourths in number and value of the shareholders of members of such Company present, in person or by proxy, at a meeting convened with notice of the business to be transacted; such consent to be certified in writing by the Chairman of the meeting.

75. In the case of every Bill brought from the House of Lords, in which provisions have been inserted in that House empowering or requiring any Company to do any act not authorized by the memorandum and Articles of Association of such Company, or other instrument constituting or regulating the same, the examiner shall report as to compliance or non-compliance with the following requirements:—

The Bill as introduced or proposed to be introduced in this House, shall be consented to by a majority of three-fourths in number and value of the shareholders or members of such Company present, in person or by proxy, at a meeting convened with notice of the business to be transacted.

Yet, we in Canada undertake to force half of the shareholders in this Company to engage in a general business. Let us follow the wise precedents established in England. I therefore move:—

"That the said Bill, as amended, be referred to a committee of the Whole House, to be further amended as follows:"—

"The first, third and fourth sections of this Act shall not have any force or effect, neither shall the Company do any general insurance business until after the question of liquidating the affairs of the Company shall have been submitted to the approval or disapproval of the shareholders of the Province of Ontario, and the Shareholders of the Province of Quebec, respectively, present, in person or by proxy, at special meetings held both in the Cities of Toronto and Montreal, respectively, called for that purpose, by notices sent by mail to each and every Shareholder at least fifteen days immediately preceding the day of meeting named in such notice."

"For and notwithstanding anything to the contrary in the eighth or any other section of the said Act of incorporation, or in any other Act, the question of the adoption of the said sections, and of the desire of the Shareholders to go into the general insurance business, shall not be deemed to have been determined in the affirmative otherwise than by a double majority, that is to say: a majority of the votes given at each of such meetings against the immediate liquidation of the affairs of the Company, or, in case there is no such majority, then, unless a majority of at least two-thirds of the absolute number of votes shall have been registered against the question of liquidation, the Chairman (the President, or in his absence, the Vice-President for Ontario at Toronto, and the Vice-President for Quebec at Montreal, or in their absence, any Shareholder chosen by the Shareholders), having the casting vote in case of an equality of votes at the meeting, and the second section of this Act shall apply to each of such meetings.

"The carrying of the question of liquidating the affairs of the Company shall have the effect of closing or terminating the affairs and operations of the same, which shall from that moment be in liquidation,"

Hon. Mr. MILLER suggested that it would be better to concur in the report of the Committee first and then move this amendment afterwards.

After a brief discussion the report was adopted.

Hon. Mr. BELLEROSE renewed his motion.

Hon. Mr. McMASTER—This Bill has come up from the other House where it was very thoroughly discussed, both in the House and in the Committee. It has also been carefully examined by the Committee on Banking and Commerce in the Senate. I do not deem it necessary, therefore, to go at any great length into a discussion of the amendment. I should like to correct one or two errors into which the hon. gentleman opposite has fallen. He says that no proper notice of the meeting was given.

Hon. Mr. BELLROSE—I said that the Directors in Quebec had not been notified of the meeting of Directors.

Hon. Mr. McMASTER—I hold in my hand a copy of the hon. gentleman's own letter which shows very clearly that the shareholders in Quebec were duly notified, and that blank powers-of-attorney were sent to them and returned, so that there can be no objection on that score. Then, before the Bill had proceeded far, the stockholders met and authorized this change by a very large majority. I must also correct the hon. gentleman when he says that the amount of stock held in Quebec is the same as in Ontario. He says that there are only some twenty-five or thirty shareholders in Ontario; there are seventy-five, many of whom are the most responsible men in the Province, and they hold 3,258 shares against 2,742 held in Quebec. The difference, therefore, is 516 shares in favor of the Ontario shareholders. The Isolated Risk Company was chartered in 1871, and the intention of its promoters was to prosecute that particular branch of insurance business, but after being in operation for some time, it was found that the other companies doing a general business, lowered their rates on isolated risks to an extent that rendered the business unprofitable, and large losses were sustained, especially in the Province of Quebec. It will be observed that while the charter specified isolated risks, power was taken in the original Act to transact a general business, and when it was suggested to our friends in Quebec that a general business should be cultivated, the hon. gentleman himself, (Mr. Bellerose), moved a resolution, that the company should commence to do so. A general business was conducted for some time with the result which he has stated—profitably in Ontario, unprofitably in Quebec. Finding that the name of the company was not in keeping with its business, the shareholders, at a general meeting, decided by a very large majority, to apply to Parliament for an Act to change the name, so as to make it in harmony with a general business. This appears to me so reasonable, that I can hardly see how any hon. gentleman can object to it. We do not ask for any powers which do not already exist. Under the original Act of incorporation, no one holding proxies could cast more than one hundred votes. This Bill is to amend the Act so as to allow any number of votes to be cast by a shareholder holding proxies for the same. This, and the change of name, are the only amendment asked for. The sweeping changes proposed by the honorable gentleman have not been authorized by the shareholders at all. The effect of his resolution would be, not only to repeal that provision in the Act authorizing a general business, but the fact is, it provides for throwing the property of the company into liquidation, a most unfortunate course to pursue. If the company were in circumstances which rendered such a course advisable, they should enter into negotiations with some other company to take their business. That could be done without loss; but to throw the company into liquidation, would involve the necessity of making fresh calls to meet losses, and nothing, in my opinion, would be more unwise. I cannot, for one moment believe, that the House will sanction the amendment; but, even if they should, it would have to go to the Committee on Banking and Commerce, because the amendment is very crudely put together, and might involve greater changes than the hon. gentleman contemplates.

Hon. Mr. DICKEY—I certainly cannot be accused of any particular predelection for this Company, because I find on looking at the face of the charter, that it commences with the names of Messrs. George Brown, Edward Blake, J. Kerr, and others who, certainly, are no particular friends of mine; and I recollect that when the Bill came before us some eight years ago, it was very carefully scanned. Perhaps some of us were led, from seeing these names, to scan it more closely than usual. It passed, however, and now we are asked by the hon. gentleman opposite, (Mr. Bellerose), to pass a certain clause altering the whole character of the corporation, and taking away the right they now possess of doing general business. We are asked, in the first place, to empower the shareholders to throw the Company into liquidation. As far as I can see there is no such power given in the original Act of Incorporation. There is a general act, however, which

tells us how, in what manner, and under what circumstances, these fire and marine insurance companies can be placed in liquidation. The House will see that if at any time by legislation like this, and by a vote of a majority of the shareholders, a company could be placed in liquidation, there could be no possible security in any insurance company to the people who ought to be protected—the policy-holders. There was an Act passed in 1875 to make provision for the liquidation of such companies, which says :—

"16. Any company shall be deemed insolvent upon failure to pay any undisputed claim arising, or loss insured against, in Canada, upon any policy held in Canada, for the space of sixty days after being due, or, if disputed, after final judgment and tender of a legal valid discharge, and (in either case) after notice thereof to the Minister of Finance."

Yet we are asked now to agree to an amendment to empower the shareholders to place the company in liquidation. It appears to me that the proposition cannot be entertained by this House—certainly not until it is asked for by a majority of the shareholders, and then the Legislature will take care that the rights of third parties are carefully guarded. But we are asked to do more than that. We are asked to declare that the carrying of the question of liquidation shall have the effect of closing or terminating the affairs of the company. You stop the whole machinery of the corporation. I do not think that the House will adopt this species of legislation. And what is the cause of this proposition? We are told that two companies amalgamated. They did so under the charter of the Isolated Risk Company, passed in 1871, which contains the following clause :—

"9. The said Company shall have power and authority to make and effect contracts of insurance with any person or persons, body politic or corporate, against loss or damage by fire on any houses, stores or other buildings whatsoever, and in like manner on any goods, chattels or personal estate whatsoever for such time or times, and for such premiums or considerations, and under such modifications and restrictions, and upon such conditions as may be bargained or agreed upon or set forth by and between the Company and the person or persons agreeing with them for such insurance."

There is not a word about this business being confined to isolated risks. The amalgamation took place some time after the charter was granted, and when its charter was well known. The Amalgamated company, finding that it was to the interest of the shareholders to engage in a general insurance business, did so, and they merely ask us to change their title. They ask for no new powers, and, I suppose, if this amendment should be carried, they would let the Bill drop and go on with their business all the same. Surely this House will not interpose now and say that the affairs of this company shall be liquidated because a majority of the shareholders in Quebec ask for it. They must have a majority in Ontario as well as in Quebec before they have a right to make such a demand. It appears to me that my hon. friend who has made this motion has the same interest at heart as the hon. Senator from Toronto (Mr. McMaster) : and it would be unwise on all hands that these two sections of the company should get up a dispute here and injure the value of the stock. Where is the neeessity for it? This House is not the place to settle such dispute, which should be settled in their meetings. My hon. friend, (Mr. Bellerose), says that he and his friends had some 2000 proxies, but could only use some 400 of them, because the charter, as it stands, only allowed each of them to cast 100 votes. Now, this Bill proposes to do away with that restriction. Had it been passed before the meeting was held in Toronto, the hon. gentleman could have used his 2,000 proxies. It is an amendment in the right direction, and, therefore, I do not think that he ought to object to it. The only other amendment is one to prevent a misconception as to the objects of the company. The Dominion has grown very much since this Act was first passed, and I suppose that the company wish to extend their operations to a larger area, and when they get into other provinces of the Dominion, they may be exposed to the risk of being told, "You are only an Isolated Risk Company, and you have no power to insure in towns." Therefore, they ask for a change of name. I see no objection to it. The name that has been proposed does not conflict with that of any other company. Regular notice has been given of this Bill ; it has been adopted by the company ; the measure has been carefully considered in an-

other place, and by a committee of this House, and it is asking too much to propose now that we shall adopt an amend, ment to throw the affairs of a company, which has done good work, into confusion. I see no reason why the hon. gentleman's (Mr. Bellerose's) motion should be enter tained.

Hon. Mr. RYAN—I wish to explain to the House why it is that I and a large number of the committee to whom this Bill was referred, sympathized with my hon. friend who has proposed the amendments now under consideration. The Bill, as reported to-day, was carried through the Committe on Banking and Commerce by a very narrow majority indeed.

Hon. Mr. McMASTER — One of a majority.

Hon. Mr. RYAN—Yes, by only one of a majority. I think what prompted me in coming to a conclusion to support the views of the hon. gentleman was simply this: that the original Bill, first introduced in 1871, had a number of influential names of members on both sides of the House connected with it, and consequently the Bill was not scanned with that degree of care and close criticism that ought to be applied to measures that came before this House. The Bill so supported was brought in as the Isolated Risk Insurance Company, and by any common-place man like myself, not learned in the technicalities of law, it would naturally be taken for granted that the company which it incorporated was to confine its business to isolated risks. By some clever arrangement, however, a permissive power was inserted, which was objected to without effect, at the third reading, I think, under which the company might extend its business to general risks. We all know that risks in towns and cities are comparatively dangerous, and frequently involve great loss, and for a company commencing business with a very small capital it was neither safe for the shareholders nor safe for the insuring public to allow the business to extend beyond the isolated class of risks which the title of the Bill indicated. I know, for my part, when that Bill was first introduced it was supposed the company would confine itself to an isolated risk business. It turns out, however, that this has not been the case, and that the managers of the company, finding that the isolated risk business did not prosper with them, turned their attention to general business, and taking advantage of the constructive power in their Act, entered into general business of a more hazardous nature. That was done, as I nnderstand, against the will of a considerable number of the shareholders, and I do think that those shareholders who may have been deceived by the title of the Bill, into supposing that the Company was confined to an isolated risk business, with good reason took exception, but, as it appears they were overruled by a majority. Many persons, I believe, were led to take shares in the Company, in the belief that it was in fact, as in name, an isolated risk company. It now becomes a question: shall this House intervene on behalf of the minority, and give them a measure by which they can save themselves from being forced into a business which they never contemplated when joining the Company? Whether there may be any irregularity in the proposed amendments, I do not know, but I think a step has been gained by my hon. friend who has moved these amendments in inducing him to allow the Bill as amended to be reported previous to moving them.

Hon. Mr. MACPHERSON—No, no.

Hon. Mr. RYAN—I only submit my individual view of the matter; but I think a step has been gained in that way, because if his resolution fail now to carry, the Bill is advanced to a third reading. Hon. gentlemen, my plain broad view of the case is this: That Company professed to do an isolated risk business; the Directors changed their views, and, notwithstanding the objections of the minority, they entered upon a general business, and now come to this House asking it to sanction their doing so, by changing the title of their Act of Incorporation. If they were quite confident in the legality of their position, under the title of Isolated Risk Company, they need not have come to this House for an amendment changing their name; they could still have gone on with the title they originally had, and might have asked for any minor necessary

amendments ; but, I think, in such cases as this, where many stockholders object, Parliament may very properly intervene on behalf of the minority—a considerable minority, as it appeared—and adopt the English rule and subject this Bill to the sanction of a two-thirds or three-fourths vote of the shareholders. I, for one, guided by the spirit of English practice and fair play would do so, and say that this Bill should not become law until approved of by at least a two-thirds majority of the shareholders.

Hon. Mr. BUREAU — There is a point that the hon. gentleman has not referred to. The first company—the Quebec Company—was under a positive charter by which no insurance could be taken except on isolated risks. Under that charter the capital was subscribed. In the course of my professional practice, I have had occasion to invest small sums of money for poor people, and I have advised many of them to take stock in that company as a safe investment because they did only an isolated risk business. Shortly after it pleased some of the members of that company to amalgamate with another company in Ontario, who did business under a charter quite different in its provisions. It professed to do an isolated risk business, but there were a few words in the body of the Act of incorporation which had the effect of destroying the character of the title. The amalgamation took place. Now, I wish to put a question to hon. members. In the amalgamation, have you set aside any of the provisions of this Bill, or have you accepted the charter of the Ontario or the Quebec Company ? The answer will be, no doubt, that the amalgamation took place under their respective charters. If such is the case we cannot by any legislation bind the shareholders to pay the remaining calls on their subscribed stock. There has only been ten per cent. paid up, and if we, by our legislation, force these shareholders into a business that they never contemplated it will be very unjust, and I think we have not the power to do so. Every day there are decisions rendered in our courts of justice by which private Bill legislation is set aside in the different provinces as being illegal. A private bill is not like a public bill, which cannot be discussed in a court of justice. Suppose that I am one of the Quebec shareholders in this company, and a call of ten per cent. is made on my stock to meet damages that have occurred under this amalgamation, I have a right to repudiate the whole matter, as I subscribed for stock in an isolated risk company, and they have a right to keep faith with me in virtue of that charter. The shareholders in Quebec have the right to say we do not wish to do a general business, and if the business is not confined to the charter under which we subscribed, we shall separate and let the Ontario shareholders do business as they think proper and we will do ours under the terms of our charter.

Hon. Mr. DICKEY—This Bill leaves the matter exactly as it was.

Hon. Mr. BUREAU—If it leaves it exactly as it was, the company will take risks in the cities and towns in Ontario, and if a loss occurs, they will assess the shareholders in Quebec for a business that they never subscribed to. Supposing these resolutions should not be adopted I would suggest to my hon. friend that he should propose an amendment for the security of the stockholders in Quebec. Such a clause has been already adopted by ourselves here in other bills, a clause that will protect the poor investors, the widows and other persons of small means who have invested their money in this company, because they considered it safe under the charter which they had. After inducing a number of persons to invest their capital under certain conditions I consider it is immoral to come down to this House and ask for legislation to change those conditions against their wish. We have no precedent for such legislation, and we will have to look to the courts of justice to protect us. I certainly approve of the course that has been taken by my hon. friend, (Mr. Bellerose). He is only defending the rights of a number of persons who have been deceived. The title of the company is to be changed ; it is to be a grand company that will take risks in cities, and do a large business, but if the promoter of this Bill were asked to-day what means the company have to meet losses on the risks already taken, the answer would be somewhat startling. They might call to-morrow for the full

payment of those shares, if they wished, though it was stated privately to persons who were asked to invest, that after paying ten per cent. there would be no more calls on their stock. Those who can sell to-day and buy other stock to-morrow are all right, but subscribers who live far away and who know nothing of what is going on, should have protection. I say that the Directors of that Company have not acted in their own interests, as I know that the Vice-President is willing to risk his own money that he has subscribed, but he is afraid that if the powers now asked for are granted, other persons who have their money in it will have to suffer for a long time to come. I could say a great deal more if I desired to do so. I could tell how many cents on each hundred dollars they could pay, but I do not wish to discredit our insurance companies, because I think it is important to have insurance companies on a good footing. I speak as I do because I know that the proposal to change the title of the Bill is made with a view to deceive the public.

Hon. Mr. VIDAL—I should certainly coincide with the views of the hon. gentleman who has just spoken if the measure before us contemplated any such action as he so justly and strongly condemns, but I think the question has been presented to the House in an entirely erroneous manner by the hon. gentlemen who support the amendment. The hon. gentleman from DeLanaudiere is well aware of the fact that all those arguments were urged before the committee. They were carefully considered and weighed, and the conclusion that the committee arrived at, although by a small majority, was that they did not affect the merits of the Bill which was under consideration. This proposed amendment is virtually an appeal from the decision of the committee, asking the House to reverse that decision. While I do not for a moment question the right of any hon. member to take such a course, but I think that a decision of a committee having been reported to the House after all the arguments pro and con. had been carefully heard and weighed, should be entitled to more consideration than if it were merely the contention of an individual member. If this was an amendment to dissolve the union between the original Quebec and Toronto companies, I could understand the relevancy of the remarks of the hon. gentleman. They would have been quite applicable to the case, and his arguments well worthy of consideration, but the Bill before the House is not of such a nature as to draw forth the earnest and eloquent appeal that has been made by the hon. gentleman. The Bill makes simply two amendments—the one is to change the name, the other is to remove the disability of shareholders being restricted to use only one hundred proxies in voting at a meeting of shareholders. If this Bill contemplated the alteration of any system that had been agreed upon and adopted by the company; if it was giving permission for the first time to extend their business, supposing they had heretofore been confined only to taking isolated risks I would have sided most warmly and strenuously with the hon. gentlemen who are opposing the Bill, But it is not so. This alleged wrong, if it be a wrong, has existed since 1871, the time when the charter was granted, when power was given to take any risks they pleased without restriction of any kind. In 1873, the Quebec Company amalgamated with the Ontario Company, and surely they would not have done so without looking carefully into the Statute defining the powers, rights, and privileges of the company with which they were going to associate. I wonder that my hon. friend from Victoria, a clear-headed business man, and one of the most regular attendants at the Committee, to which such bills are referred, and who scrutinizes all bills that come before that Committee so closely, should now find for the first time, that while this company professed to be an isolated risk company, it had the power to take risks in cities also.

Hon. Mr. RYAN—I made the discovery before this, but I do not think the House made the discovery, because I do not think the clause was put in the very distinct terms it is now. I recollect perfectly well that the impression made upon me in the Committee at that time was that the business of the Company was confined strictly to isolated risks.

Hon. Mr. McMASTER — I had charge of this Bill when it was introduced

in the House the first time, and I have a distinct recollection of this very point having been discussed at considerable length in the House—that was in 1871. I have a distinct recollection that exception was taken to it—I think my hon. friend from Toronto (Mr. Macpherson) was one of the gentlemen who took exception to the general powers introduced into the Bill under the limited title.

Hon. Mr. ALLAN—I did also.

Hon. Mr. McMASTER—Two hon. gentlemen did at any rate, and the question was fully discussed.

Hon. Mr. RYAN—In that case I can solve the problem. Let the title stand as it was and only make the other changes in the Bill, and then it will leave matters on the same footing.

Hon. Mr. VIDAL—Two years after the matter was thus clearly brought under the notice of the Senate the Quebec company joined with the Ontario company. I do not know which company made the first advances, nor is it of any importance in this discussion, but they met together and formed a union. At the time they did so my hon. friend from De Lorimier asserts that each went into the union preserving the whole of their special provisions and powers. I challenge the accuracy of this statement. The company formed in Quebec,—according to the preamble in the Act of amalgamation—distinctly gave up its charter, abandoned every right, and was freed from every restriction of its original charter, and joined the Ontario company fully aware of the nature of the risks that the company was authorized to take. The company that was formed has been six years in operation, and if the business has not been conducted satisfactorily why have the dissatisfied shareholders not settled the difficulty in some other way? Why have they not brought in a Bill to prevent the company from taking risks in cities and towns? The amendment proposed by the hon. gentleman from De Lanaudiere has no relevancy to the subject matter of the Bill; it is simply a proposal to throw the company into insolvency without any complaint having been made against it, or without any charge that it is insolvent or unable promptly to meet its obligations. Is that a proposal which this House can sustain when no reason whatever can be shown for it? The hon. gentleman has said that owing to the fact that he was restricted from using more than one hundred proxies he was unable to carry his resolution at the shareholders' meeting in Toronto. I should like to know whose fault is that? If the hon. gentleman, who is usually so sharp in such matters, had overlooked the fact that no person could hold more than one hundred proxies, and was in consequence unable to carry his motion at the meeting, does he expect this House to remedy a mistake or a blunder of his own?

Hon. Mr. BELLEROSE—I do not complain. I know that this is not a tribunal to which I should complain, but I have put this before the House to show that there never was a vote taken upon this question in the proper way, and that, according to the custom in England, we should refer it back so that a vote can be taken. At that meeting the vote could not be properly taken, because of the clause in the charter that prevented a shareholder from holding more than one hundred proxies, so that the voting was all on one side.

Hon. Mr. VIDAL—It is perfectly clear, so far as this House is concerned, that the whole procedure has been legal and proper. The required notices were given, and a duly authenticated petition presented at the proper time, and it is too late at this stage of the proceedings to raise questions respecting those preliminary matters. The petition, which was very naturally presented against the Bill by the dissatisfied shareholders and partly read to this House, was read and considered by the committee. I should like to ask the hon. gentleman if that petition was signed by the parties who sent it, prior or subsequent to the passage of the present Bill through the House of Commons?

Hon. Mr. BELLEROSE—The petition was presented to this House at the same time the Bill was introduced in the Commons.

Hon. Mr. VIDAL—The House will observe the importance of this admission

that the petition was presented to this House when the Bill was introduced in the other House. Hon. gentlemen will see that the important feature against which the shareholders have petitioned has been eliminated from the Bill by that House.

Hon. Mr. BELLEROSE—The petition does not speak of marine insurance ; it speaks of general business.

Hon. Mr. VIDAL—The power to do general business is not given by this Bill ; that power is already possessed under the original charter, and Act of amalgamation. If the law, as it stands, works to the disadvantage of the people of Quebec, this Bill neither originates, sustains, nor perpetuates the evil, nor affects it in any way. The title of the Bill is referred to as of legal value in determining the character and meaning of the Bill. I agree with the view of the desirability of having the title of a bill harmonize with its contents, and I think the soundness of that principle is clearly recognized by the company in asking for the change of name, so that it may not appear before the country as taking only isolated risks, while actually doing a general insurance business. I think the company deserve credit for endeavoring to effect this change of name.

Hon. Mr. DICKEY—I have the original bill before me, and it gave power to do marine business.

Hon. Mr. VIDAL—That, as I have already stated, has been eliminated from the Bill now under consideration, and the only changes now sought, are those I have referred to. I trust, therefore, that the House will sustain the action of the committee, and reject those amendments, whose only probable effect would be to put the company into liquidation.

Hon. Mr. TRUDEL—I have listened with great attention to the remarks of the hon. gentleman who has just taken his seat. He thinks that the promoters of this Bill should be congratnlated for having asked for a change of the name of the company, and the reason which he gives is obvious : it is a proper thing to do to ask to change a name which is calculated to deceive the public in carrying on their business. I would ask the hon. gentleman, however, if he does not consider that those who have been deceived by it in the past are not as worthy of consideration as those who might be deceived in the future ? If we were here to discuss this matter only on strictly legal points—to decide whether the company has a right to transact a general business—it would not require much discussion, because there is a clause in the Act which gives that power. The case, as stated before the House, is this : Nearly one-half the shareholders went into this Company as an isolated risk and farmers' company ; one-half the stock was subscribed upon the express condition that the Company was to do an isolated risk business and farmers' buildings insurance only. The other half was also subscribed under the name of isolated risks.

Hon. Mr. VIDAL—Will the hon. gentleman point out in what way their business interests are affected by this Bill ?

Hon. Mr. TRUDEL—I will come to this point in a moment. The shareholders of the Quebec company come before this House and say that they were ignorant of the fact that there was power given in the Act of incorporation for the Ontario company to do a general business, and the hon. gentleman from Sarnia says if they choose to enter into that amalgamation without knowning the provisions of the charter, it was their own blunder, and it is not for this House to remedy that blunder. I might use the same arguments and say let the title of the Bill remain as it is, and if the public choose to blunder and take the company for an isolated risk company, they should stand the consequences of that blunder. As a matter of fact, though, the Quebec shareholders were deceived. I am willing to believe nobody intended to deceive them.

Hon. Mr. BELLEROSE—They were misled.

Hon. Mr. TRUDEL—If they were misled when they entered into this amalgamation, and did not calculate the consequences of that act, is it not a matter of equity we should not drag them into a business that they never contemplated investing in ? It is very easy to show to

the House that this Bill, while it seems to make no important change in the position of the shareholders, really alters their position entirely. Under the present Act, if the company does a general business, the shareholders have the right to bring the directors before the courts and question their right to take any but isolated risks. Supposing that this point should be raised before a court of justice, there is no doubt this argument would have some weight, but if we change the name of the company, it immediately removes the disability to do a general business. There are some matters of fact in reference to this Bill on which this House is not perfectly informed. For instance, I have heard it said that heavy losses have been incurred in the Province of Quebec, and the general business is necessary in consequence. I know that this statement has been desired by my hon. friend from DeLanaudiere.

Hon. Mr. BELLEROSE—Far from the Province of Quebec business having suffered heavy losses, it is that the Province of Ontario.

Hon. Mr. TRUDEL—We should be informed, also, of the facts which lead the hon. gentleman to propose a resolution to liquidate the affairs of the company? The objection of the hon. gentleman from Amherst has great weight on this point—that there is no reason to liquidate the affairs of the company if its business is prosperous. I think it would be better to ask for the repeal of the act of amalgamation than to ask for an act of liquidation. I think the House is improperly informed of the facts.

Hon. Mr. BELLEROSE—I may say at once that both the hon. gentleman from DeSalaberry and the hon. gentleman from Amherst have mistaken the case. The amendment is not to force the company into liquidation, but it provides that before this change of title can come into force the question of liquidation shall be placed before the shareholders, and if it is lost by a two-thirds vote the company will continue business under the new title; or, if the question of liquidation is carried by a two-thirds vote, those who wish can withdraw from the company, and the remainder of the shareholders can continue the business under the name of Sovereign Insurance Company.

Hon. Mr. TRUDEL—I had misconstrued the amendment, but we are not here to say to the shareholders who have petitioned against the Bill, "You have been caught in a trap and you must remain in it." If this is the way we are to legislate, very well, but we must inform the people of Quebec that in the future they must be more careful, and I think that this discussion will have a good effect. But if, in this sense, on the contrary, this House decides as a principle of legislation that in matters of equity we are not here to interpret laws according to the reading but according to the spirit, and we are to take into consideration questions of injustice which may present themselves, then we cannot be guided by the arguments which have been advanced in favor of this Bill.

Hon. Mr. VIDAL—Does the hon. gentleman consider that the position of the Quebec shareholders would be benefited by the withdrawal or loss of this Bill?

Hon. Mr. BELLEROSE—Yes.

Hon. Mr. TRUDEL—No doubt if the Bill is defeated the Quebec shareholders will remain in a position to invoke the title of the Company against the efforts which are made to drag them into a general business.

Hon. Mr. BELLEROSE—Hear hear.

Hon. Mr. TRUDEL—They cannot advance that argument, if the House deprives the Company of that title. It has been said that my hon. friend from De Lanaudiere made a mistake in going to Toronto with powers of attorney that were practically useless. I know my hon. friend too well to consider that he was not perfectly aware that he could not use more than one hundred proxies, but were the whole of the shareholders in the same position; and does it follow that we are to deprive those who were ignorant of this fact, of their rights?

Hon. Mr. POWER—I wish to ask the hon. gentleman whether the amendment he proposes to make to this Bill has ever

been before the shareholders of this Company at a meeting either in Toronto or Quebec?

Hon. Mr. BELLEROSE—In answer to the hon. gentleman I may say that this amendment is not coercive but permissive. The shareholders of Quebec object to any amendment but, when the House forces an amendment, then, as representing these people, I must make one that will be subject to the approval of the shareholders.

Hon. Mr. MACPHERSON—As a member of the Committee to which this Bill was referred, I may say that it received a very thorough consideration from that Committee. It was the subject of deliberation for two days, and I may further say that the only amendments asked for in this Bill are, first, the change of name, and in the second place, to remove the objection which the hon. gentleman from De Lanaudiere has made to limitating the number of proxies which any one shareholder may hold or vote upon. The real object of amending the Act appears to be to harmonize the title with the powers of the company. Now, I think, that the hon. gentleman can scarcely maintain that the shareholders from Quebec did not know what they were doing, or that they were caught in a trap, and I think that is not a fair way of putting it. The truth is that the Act incorporating the Ontario company was selected and adopted as the Act of incorporation for the amalgamated company; therefore when that Act of incorporation was going through Parliament, every clause in the Bill must have been discussed in both Houses, and the hon. gentleman from DeLanaudiere had charge of the measure, and should have known all the provisions that it contained. It was the Bill asked for by the amalgamated company, and how, in view of these facts, can the hon. gentleman say they were caught in a trap, when they knew they were entering into association with a company that had power to carry on a general business? The fact is, the Ontario company had that power, and my honorable friend for York, when the original bill incorporating the Ontario company was passing through this House, pointed out that they had authority to carry on a general business, while the title would infer it was an isolated risk company, and I believe that both he and I voted against the Bill because the title was not made to harmonize with the provisions, or the provisions were not made to harmonize with the title. There is no excuse for misapprehension on the subject, and the committee were of the opinion that theamendments asked for should be granted. The amendments which the hon. gentlemen from De Lanaudiere proposes would be of an exceedingly inconvenient character. I think they are unprecedented in one respect, as they really divide the company into two, requiring that the Ontario shareholders should meet and vote in Toronto, and the Quebec shareholders should meet and vote in Montreal, and that each should have a majority, or, as the hon. gentleman called it, a double majority. I do not see how the affairs of the company could be carried on if such a system were allowed to prevail. I really can see nothing in the Bill that is open to the objections urged against it, or that the objections urged against it are sound or reasonable. I must say, like my hon. friend from Amherst, I certainly have no political sympathy with the gentlemen interested in this Bill. The President is the late Prime Minister, and all the Directors of the company are of the same politics, but I think that in matters of this kind, in private bill legislation, we should know no politics in this House.

Hon. Gentlemen—Hear, hear.

A vote was then taken on the resolution which was negatived :—

CONTENTS

The Hon. Messrs.

Armand,	Flint,
Baillargeon,	Girard,
Bellerose,	Guevremont,
Boucherville, de	Hamilton, (Inkerman),
Bureau,	Kaulbach,
Chaffers,	Macfarlane,
Chapais,	Miller,
Cormier,	Paquet,
Dever,	Pozer,
Dickson,	Read,
Dumouchel,	Ryan and
Fabre,	Trudel.—24.

NON-CONTENTS :

The Hon. Messrs.

Aikins,	McMaster,
Alexander,	Macpherson,

Allan,	Muirhead,
Almon,	Penny,
Archibald,	Power,
Benson,	Reesor,
Brouse,	Scott,
Christie,	Seymour,
Dickey,	Simpson,
Glasier,	Smith,
Haythorne,	Stevens,
Hope,	Vidal,
Leonard,	Wark and
McClelan (Hopewell),	Wilmot (Speaker).—29.
McLelan (Londond'ry),	

Hon. Mr. McMASTER moved that the Bill be read the third time to-morrow.

The motion was agreed to.

The House adjourned at 6 p. m.

THE SENATE.

Thursday, April 24th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

GEOGRAPHICAL SOCIETY OF QUEBEC BILL.

THIRD READING.

Bill (65) "An Act to incorporate the Geographical Society of Quebec," was reported from committee with amendments, which were concurred in.

Hon. Mr. RYAN moved the third reading of the Bill.

The Bill was read the third time and passed.

THE DUTIES OF THE LAW CLERK.

Hon. Mr. BELLEROSE called the attention of the House to the fact that the law clerk was obliged to attend committee meetings in the mornings, and his time was so occupied that when he was requested to prepare important motions for members, he had no time. There were younger clerks who might attend these meetings without taking the law clerk from his regular duties.

Hon. Mr. CAMPBELL said that the law clerk of this House was not, as a rule, employed in the strict line of his profession, as there did not happen to be enough work of that kind to occupy his time. No doubt, part of his labors might be advantageously discharged by junior clerks who were already on the staff of the House. He would bring the matter under the notice of the Committee on Contingencies.

The subject was then dropped.

THE SOVEREIGN FIRE INSURANCE COMPANY'S BILL.

THIRD READING POSTPONED.

The order of the day having been called for the third reading of Bill (18) "An Act to amend the Acts respecting the 'Isolated Risk and Farmers' Fire Insurance Company of Canada,' and to change the name thereof to the 'Sovereign Fire and Marine Insurance Company of Canada,'"

Hon. Mr. BELLEROSE asked that the third reading be postponed until Tuesday next, in order that he might have time to frame an amendment such as he desired to make to the Bill.

After some discussion the order was discharged and the third reading of the Bill was fixed for Tuesday next.

THE PACIFIC RAILWAY.

THE DEBATE CONCLUDED.

The order of the day having been read:

Resuming the adjourned debate on the Hon. Mr. Read's motion:—That this House is of the opinion that in view of the large deficits for several years past, it is inexpedient to continue the construction of the Georgian Bay Branch Railway, or make further payments as a subsidy to the Canada Central Railway, until such time as it is found that the revenue meets the expenditure of the country,

Hon. Mr. ALEXANDER said:—In resuming this debate I think that a large part of the Dominion will thank my hon. friend from Belleville for asking the Senate to express an opinion upon this question of expending prematurely the

large sum of five millions of dollars. If I understand the motion rightly, he thinks that under present circumstances, with our public finances in such a depressed condition, with large deficits for three years successively, and with the fact before us that the Government at this moment are obliged to place such large additional burdens upon the country, and when we again remember that the Dominion is pledged to such heavy obligations for the enlargement of our canals, and the completion of the railway from Thunday Bay to Selkirk—all this large amount to be added to the public debt of the country, which has already swollen to the sum of one hundred and sixty or one hundred and seventy millions of dollars,—we must all think that this public work might be postponed. It is very natural that the people of the Ottawa Valley, and of certain portions of the Province of Quebec should bring all their influence to bear to obtain the construction f this work. There are certain strong arguments on their side for establishing such a claim on the Dominion Parliament, but the simple question is this, whether this large expenditure at this moment under our embarrassed circumstances commends itself to our ideas of common prudence? Is there any great prospect of securing at an early date such an amount of carrying trade as would justify us in expending so much of the public money? Before proceeding further it is necessary that I should refer to the extraordinary position which a certain Senator of this House, (Mr. Macpherson), has taken in regard to this motion. He declares that he must vote against it. This is a most extraordinary course of action on his part. Let me read to the House, the hon. gentleman's utterances last session in regard to this public work:

"It is a political scheme, and proposing to construct it at present is in the highest degree reprehensible, and to proceed with it would be one of the greatest blunders that ever the present Government could commit. I say that to proceed with its construction would impair and ought to impair the credit of this country, because it would be evidence of such unwisdom on the part of the Government, that it is impossible that capitalists understanding the purpose to which it would be devoted, would lend their money to the country."

He then held that to enter upon such expenditure would impair and ought to impair the public credit of the country. He denounced the late Administration, and could scarcely find words to express his condemnation of such an expenditure. Now, let me give you his utterances during this debate:

"Now, with respect to the resolution which is before the House, I can not vote for it. The resolution does not condemn the Georgian Bay Branch, and I certainly would not to-day vote in favor of that undertaking, and that would be the effect of carrying this resolution. It merely asks that the work shall be suspended until such time as it is found that the revenue meets the expenditure of the country. The Finance Minister thinks that the revenue next year will exceed the expenditure, and if we adopt this resolution the Government would not feel bound to act upon it. In fact, they could not act upon it. The building of the Georgian Bay Branch and the subsidizing of the Canada Central Extension have been authorized by Parliament and contracts have been made under authority of Parliament. The hon gentleman who introduced this resolution did not tell the House that the railway is under contract, and that, to suspend the work would be to break existing contracts. The effect of that would be to leave the Government open to claims for damages. If we pass this resolution we shall place the House in a false position by virtually proposing to annul an Act of Parliament by a resolution of this House. For these reasons I shall vote against the resolution if it is pressed to a division.

Hon. Mr. MACPHERSON — Will the hon. gentleman point out the inconsistency?

Hon. Mr. ALEXANDER — I am really surprised that the Hon. gentleman should put such a question to me. In regard to his statement just made, I would ask this House if they had ever witnessed such an exhibition of sophistry—of sophistry which could only be surpassed by some of the exhibitions of a former Minister of Justice.

Hon. Gentlemen—Name, name!

An Hon. Gentleman — Mr. Edward Blake.

Hon. Mr. ALEXANDER—I do not require to name him. If ever there was an exhibition of sophistry—unblushing sophistry, it has been shown by the hon. gentleman to-day. Did he believe the words in his speech last year: "that by expenditures upon the construction of this railway, we should impair, and

ought to impair, the credit of this country?"

Hon. Mr. MACPHERSON—Yes.

Hon. Mr. ALEXANDER—Does the hon. gentleman believe so to-day?

Hon. Mr. MACPHERSON — The Georgian Bay Branch Railway was not under contract then.

Hon. Mr. ALEXANDER—Does the hon. gentleman know so little of the rule of drawing all Government contracts, as not to be aware that Parliament can, at any moment, annul any Government contract? Is he so uninformed upon this point as not to know that every one of them contains the following clause?

"35. In the event of it becoming advisable in the interests of the public to suspend the work hereby contracted for, or any portion thereof, at any time before its completion, and to put an end to this contract, the Minister of Public Works of Canada for the time being shall have full power to stop the work and to cancel this contract, on giving due notice to that effect to the contractors. The contractors, however, will be entitled to receive payment for all sums then due for work already done, materials used or delivered, or ready to be used, or in course of preparation, together with such reasonable compensation as will cover all *bona fide* damages, if any, resulting therefrom, and as may then be agreed upon;

Hon. Mr. MACPHERSON— Hear, hear.

Hon. Mr. ALEXANDER — (continuing) —

"Or, in case of disagreement, as may be determined by the Official Arbitrators of the Dominion of Canada; it being understood, however, that no compensation will be allowed to or, claimed by, the contractors for materials procured for the works, after the date of the service of the notice above referred to, or for any loss of anticipated profits, either in respect of the works so suspended as aforesaid, or of the materials then procured for said works."

Hon. Mr. MACPHERSON—Is that clause in the contract of the Georgian Bay Branch?

Hon. Mr. ALEXANDER—It is in every public contract. The hon. gentleman ought to know, if he does not know, that fact.

Hon. Mr. MACPHERSON—I do not intend to take much notice of what the hon. gentleman has been saying, but I ask him if he knows whether that clause is in the contract for the construction of the Georgian Bay Branch Railway?

Hon. Mr. ALEXANDER—The leader of the Government in this House will state whether it is or not.

Hon. Mr. READ—I can answer that. I have read the contract, and that clause is in it, word for word, as the hon. gentleman has read it.

Hon. Mr. ALEXANDER—I cannot help having a feeling of compassion for the hon. gentleman.

Hon. Mr. CAMPBELL—I have not seen the contract for the Georgian Bay Branch Railway, but I was informed by the Minister of Public Works that this clause was not in that contract.

Hon. Mr. READ—We will have it here by the time we close the debate.

Hon. Mr. MILLER—What is the meaning of it if it is there.

Hon. Mr. ALEXANDER—It is surely very sad to see a gentleman occupying the position that the hon. Senator for Saugeen does at this moment —with all the influences of wealth, mind, and power—one who has for so many years labored to establish a character for consistency, and to produce the impression that he was acting with a single eye to the interests of the people. It is surely sad to see one in his position destroy all respect for his judgment and confidence in his utterances as a public man, and we must all regret that he himself should, in such a manner, destroy his own public reputation, which he has been laboring so long to build up; and the hon. gentleman here to-day, with all the facts clearly laid before him of our enormous obligations, openly declares that he cannot vote for the postponement of this work. The history of the Georgian Bay Branch was not in the original scheme of the Canadian Pacific Railway. It was forced upon a former administration, and is probably forced upon the present one. As regarding its

value as a colonization road, I am sure that this House will agree with me that the Government of the Province of Ontario ought to grant out of its large surplus in the public treasury, a suitable subsidy. This House will agree with me that in doing so, they would be expending the public money far more wisely in developing a new country—to open out homes for thousands of poor emigrants coming from the old world, than in expending a large part of that surplus in fostering the construction of unnecessary small competing lines of railway, where we have already abundant railway facilities. Nothing could be more reprehensible than the past railway policy of the present Government of Ontario, which in the most disgraceful manner, has encouraged and misled a large number of the municipalities to place upon themselves large and burdensome taxation for the construction of small competing lines, which will confer no benefit upon them, and will only prove a public nuisance and source of continuous irritation to the people. We all know that railways, to exist, must earn their way, and many such small lines, commenced by a practical deception of the people, can never earn their way, but will probably be run by swindling the banking institutions of the country, and bringing distress upon innocent shareholders—upon widows and orphans and poor people, who have placed their all in such monied institutions. The less enlightened of our people in Ontario have been schooled by unscrupulous public men, to hold that we cannot have too many railways. The leading daily organs of both parties in Toronto are unceasingly urging our people on to such a mad course of action, until we shall see our cities and towns and rural municipalities overwhelmed with debt, and this country rendered unfit to live in, from the oppressive burdens cast upon it. And from this overdoing of our railway system, as of everything else, we cannot but forecast a future of trouble. We shall have our railways over the whole country in a bankrupt position, unable to renew their bridges, or road-bed or plant, or stock—in such a dilapidated state, that they cannot serve the interests of commerce, and upon which human life will be unsafe. Can we suppose that British capitalists will go on to advance millions sterling without the most distant hope of return? We find confidence in that quarter already gone. Our press and people, allowing unscrupulous and selfish men to drag thus to the ground the leading railway lines, built by British capitalists, will find all confidence in us gone, and as a natural result, we shall find difficulty in obtaining capital for the development of our great fertile belt in the North-West. It is further necessary that I should refer to views expressed by two members of this House, (Mr. Power and Mr. Macpherson). They are to be placed in the same category, as maintaining that we should not have built the railway from Lake Superior to Selkirk; and that this Dominion should have depended entirely upon the future trade of the North-West passing through the United States to the markets of the world. These two gentlemen have given counsel to the Government that it would have been wise to build a railway from French River to Sault Ste. Marie, believing that the Americans would build a road from thence to Duluth. Could there be a more unstatesmanlike proposition to the interests of this great Dominion? Do these two gentlemen believe that the great railway men of Minnesota, Chicago, Detroit, Ohio, and of New York including W. C. Vanderbilt, would build any road to permit our Dominion to snatch from them any portion of their carrying trade which they could prevent? We have all observed that tremendous railway power in the United States, laboring by united influence and extraordinary astuteness—by carrying at under rates, or by any means sweeping railway traffic from our navigable waters into those channels which they themselves think best. It would be only entertaining a foolish dream which could only end in disappointment to us, to build railways involving the expenditure of many millions of money, if we are in any way dependent upon, or in the power of such, combinations as those to which I have referred. Apologizing for the length of my remarks, I would add that there is only one principle which I can recognize in regard to such matters, that no such expenditures of this character should be entered upon, unless there is a fair and reasonable prospect of corresponding increased population, commerce and revenue, and our departing from that principle will

land our country in irretrievable trouble, and might, if carried to the extreme, bring this fair Dominion to temporary insolvency. It is proper that some one should sound the warning voice.

Hon. Mr. MACPHERSON—The hon. gentleman has addressed so much of his speech to me, that I must ask the permission of the House to say a few words. If the hon. gentleman thinks he promotes his own notoriety by addressing me as he does, I have no objection to it. If it pleases and serves him, it certainly does me no harm. The hon. gentleman seems to have taken offence at something that he imagines I did in respect to the publication of his speeches. That is the sole cause of his ire. I can only say, that such speeches as we have had to-day, and also on other occasions from him, are not calculated to raise this House to the eminence to which he professes a desire to bring it. In my opinion, his speeches are pieces of pretentious vacuity—mere stilted nonsense. They certainly are not calculated to promote the usefulness or dignity of this House.

Hon. Mr. DICKEY—I certainly do not rise to interpose in any way between the two hon. members who have just spoken, but perhaps I may be allowed to do justice to my hon. friend for Saugeen. With reference to the propriety of constructing that Georgian Bay Branch, I have no hesitation in saying that I am and always have been utterly opposed to it. My hon. friend for Saugeen took the ground several years ago—and I supported him on that question—that it was unwise to enter upon the construction of the Pacific Railway from the proposed eastern terminus of it to Red River. His view, which I, shared, was, that on the connection being made by the Canada Central with the eastern terminus, the line should be continued by the north side of Lake Nipissing to Sault Ste. Marie, so as to bring it in connection with the navigation of Lake Superior, and also with projected American railways, thus affording a continuous connection by rail with the North-West. But at that time there was a prejudice against connecting with the the Northern Pacific Railway, which prevented that project from being entertained. We also contended that the proper mode of constructing the road was to commence where it could be built in the easiest manner, and where the effect of commencing that work would be to settle the North-West; and, therefore, we advocated that the line should be commenced at Red River, and built westward. Looking back at those long years of surveys, and enormous expenditure, I believe that if this course had been adopted we would have had, by this time, railway communication half way to the foot of the Rocky Mountains.

Hon. Mr. MACPHERSON—Hear, hear.

Hon. Mr. DICKEY—That proposition was not entertained. I believe that my hon. friend and I stood alone—to use an Irishism—on that question, and the sense of the country, exasperated by the opposition of the Northern Pacific Railway, was entirely opposed to the project. I believe that the true policy for the country and for Quebec, after subsidizing the extension of the Canada Central to the point south east of Lake Nipissing, fixed by the Act of Parliament as the terminus, would be to continue north of that lake to Sault Ste. Marie, where it could secure the rapidly developing trade of the North-West. I do not rise to argue the question at large, but merely to state my opinion, and my reasons for the course I shall adopt on this motion, and I should hope that some arrangement might be made, even yet, with the contractors who are constructing this road under a contract which the late Government ought never to have made, to transfer the enormous expenditure inevitable in the construction of the line to the mouth of French River, to extend the line to Sault Ste. Marie instead. From the best information I can obtain as to the nature of the country north of Lake Nipissing, two miles can be built there for the cost of one on the route under contract, and the effect of that the House will at once perceive. As to the resolution which we are called to vote upon, I am sorry to say that I cannot support it. I am not ashamed to say so, notwithstanding the criticisms of my hon. friend from Woodstock, and, in opposing it, I hope to be able to convince the House that I am entirely consistent. I find by reference to the Debates of the Senate, session of 1875, that on the 2nd of April

it was moved by the Hon. Mr. Alexander, seconded by the hon. Mr. Read:

"That the large expenditure now contemplated for the construction of the Georgian Bay Branch Railway is, at the present time, premature and unwise."

The circumstances then were almost precisely the same as they are now. A contract had been unwisely I admit made with Mr. Foster for the extension of the Canada Central and the construction of the Georgian Bay Branch. I took the ground at that time that while I entirely approved of the principle of the resolution condemning that line, I would be no party to the breaking of a contract. If the hon. gentleman will read the report of my speech on that occasion, he will find that I said:

"He, (Mr. Dickey), pointed out that there was a distinction between being asked now to pronounce that the expenditure of that money at the present is unwise, and the opinion of the House whether it was wise in the Government to undertake the expenditure of that money before. His impression was that to keep ourselves right in this matter, while he was prepared to state most distinctly that the expenditure of that money was not warranted, yet he did not wish to be put in the position of repudiating a contract thus made, and he shrunk from the responsibility of advising the House to support the resolution of his hon. friend if it was open to the construction which he, (Mr. Dickey), put upon it. And in order to take the sense of the House on that point, he would take the liberty of moving an amendment to his hon. friend's motion. He would put it in this way: 'That it was premature and unwise in the Government to undertake the large expenditure involved in the Georgian Bay Branch Railway.' He thought that was the right way to put it, because he would be the last to interfere in any way with a contract which had been already made by the Government, assuming to act under the authority of Parliament."

This was received with cries of "Hear, hear." The result was that the amendment was adopted by a vote of 23 to 18, and, among the names of those who voted for it I find that of the hon. Mr. Alexander. It shows that four years ago the hon. gentleman was convinced that it was not proper to pronounce it inexpedient for the Government to continue the expenditure, even though it was unwise and premature, since the work was under contract. To be consistent, I cannot vote for this motion, because it asks the House to say that it is unwise to continue the contract—in other words that it should be repudiated. So that, while I hold a place here, I can be no party to that, and I shall, therefore, oppose the resolution in its present form, if it is pressed to a division.

Hon. Mr. HOPE—The policy of the late Government, of subsidizing the Canada Central Railway up to the south-east angle of Lake Nipissing, and also giving out a contract for building the Georgian Bay Branch of the Canada Pacific, was, I believe, perfectly correct. It was a policy which was due alike to the people of Quebec, of the Ottawa Valley, and of Western Ontario, and I would deeply regret to see it changed by the present Administration, or the works which are now in progress stopped. The extension of the Canada Central Railway westward from Pembroke is a most important undertaking and secures to the people of Quebec and of Eastern Ontario the advantages which they have a right to expect from the construction of the Pacific Railway. With regard to the navigation of French River, however, I think there is room for grave doubts as to the propriety of going on with the expenditure on that portion of the works, and it would be well for the Government to have fresh estimates made of the expense which the improvement of the navigation of that river would entail. When the papers moved for the other day by my hon. friend from Halifax, (Mr. Power), in relation to the survey of the line from French River to Sault Ste. Marie come down, we shall be able to judge whether that route is practicable or not. If the line can be built for $20,000, a mile, as I understand it can be done, or even anything like that sum, it would be of immense advantage to both Quebec and Ontario, and our people would be satisfied to postpone for a long period—perhaps for a generation—the building of a line north of Lake Superior. We could use the water communication from Sault Ste. Marie to Thunder Bay and that would give us, through our own territory, a summer route from the Eastern provinces to the North-West. In the winter it would be closed, but if the Americans extend their line from Duluth to Sault Ste. Marie, we would have an all-rail route to the North-West. So far as the line from Fort William to Red River is concerned, if hon.

gentlemen will look at the map, they will see that the distance from Fort William to the head of Lake Ontario, *via* Sault Ste. Marie and the French River is less than from Fort William to Chicago, and, therefore, railway communication from Toronto and Hamilton to connect with the Canada Pacific would not only promote the settlement of the North-West, but would draw a great traffic from Western New York and Northern Pennsylvania. With regard to the line from Fort William to Red River, I think the late Government deserve the thanks of the country for having commenced the construction of that important work, and I am glad to see that the present administration are determined to complete the same. The hon. Senator for Saugeen spoke of it as "a useless expenditure of the public money," but I have expressed my opinion on a former occasion to this hon. House, and I repeat it again, that no Government would be justified in undertaking the responsibility of settling the North-West without having access to it through our own territory. The dignity and honor of the country would be compromised by leaving us dependent upon a foreign power for means of communication between the eastern provinces of the Dominion, and our North-West Territories. It would be well if the Government would inform the House and the country what their policy is with regard not only to this Georgian Bay Branch, but also as to the Pacific Railway generally, and especially the British Columbia portion ot the line. They should inform us whether they will carry out the views of the late Government, and adopt the Burrard Inlet route, and proceed at once with the construction of the line fron Yale to Kamloops. It is time that they announced some decided policy, in order that the agitation upon this subject may cease. I heard with great regret that they had changed the line from Selkirk westward from the route selected by the chief engineer. I understand that the change will involve an increased expenditure of $1,000,000, besides extending the through line some 30 miles. They ought to inform the House if the engineers really advised them to make the change. In conclusion, I may say that it is my intention to vote against the resolution now before the House. I should regret to see it carried, because I think the sooner the railway policy of the country is defined and settled, the better it will be for the interests of the whole Dominion.

Hon. Mr. KAULBACH — I do not quite agree with my hon. friend who has just sat down, with regard to his commending the late Government for having commenced the construction of the Pacific Railway at Thunder Bay. I believe that all the difficulties, and all the reckless and extravagant expenditures which we have been led into, have arisen from that policy. The late Government commenced the work of construction there without knowing what they had to face ; they spent $330,000 upon the Fort Frances Lock without having sufficient knowledge of the work they were undertaking, the stupendous difficulties in their way, or information to guide them in the course they pursued. It will, for all time to come, remain a monument in the desert of the incapacity of the late Government. It appears that about $20,000 would complete it. Yet the present Government cannot venture to spend a dollar on a work so utterly useless. I do not believe that it is absolutely necessary for us to have communication with the North-West through our own country yet. If we had opened up the Fertile Belt to the westward of Red River in the manner suggested by my hon. friend for Saugeen, using the Pembina route until we had matured our policy and could proceed intelligently, it would have been more in the interest of the Dominion, and we would have filled our North-West Territories and prairie country, so rich in unproductive wealth, with a large population, and save this enormous expenditure which has been incurred, and is being made on the road from Thunder Bay to Red River. I am opposed to the motion of my hon. friend from Belleville on this ground : he has proved too much for me. If his figures and data are correct, this road or canal from Lake Nipissing will scarcely ever be used, and can never form part of the Pacific Railway. If I vote for this resolution, I will commit myself to the policy of building such a road as soon as the finances of the country are sufficient to meet it, and four or five millions would be expended upon it. Now, if he has proved anything at all, it is that this line should not be built under any circumstances, and I must,

therefore, oppose his resolution. If all that has been said of that road be true, it is unfortunate that the usual clause which enables the Government to cancel contracts was not inserted in the contract for building it, because it would be better to stop the expenditure now, before we waste any more money upon it, as has been done in the case of the Fort Frances Lock. I will call the attention of the hon. gentlemen to the first section of the Canada Pacific Railway Act of 1872—introduced by Sir Geo. E. Cartier—to show that Lake Nipissing, on the south shore thereof, was intended as the point of junction. His very words used in introducing the Bill were:—"Lake Nipissing will be the junction where the lines, both from Ottawa and Toronto could meet." Not as I have heard it stated, that the Dominion Government was pledged to the Province of Quebec to construct or extend their line to Lake Huron. Now, I will read the first section of the Act, in order to make my first point clear and indisputable:—

"A railway to be called the Canadian Pacific Railway, shall be made in conformity with the agreement referred to in the preamble to this Act, and such railway shall extend from some point on, or near Lake Nipissing, and on the south shore thereof, to some points on the shore of the Pacific Ocean, both the said points to be determined by the Governor in Council."

When the Pacific Railway was first projected it was not intended that it should be of this amphibious character—it was to have been an all-rail line, and not partly railway and partly water way. The eastern terminus was fixed at the south-east corner of Lake Nipissing, for the benefit of the whole Dominion, and the road was projected from a military, as well as a national, point of view. The point for the eastern terminus was selected in consequence of a pledge that it was not to stop there, but was to connect with the existing system of railways in Ontario and Quebec. Therefore, I am in favor of the extension of the Canada Central to S. E. angle of Lake Nipissing, but this connection being made, we cannot stop there. When we consider the inutility and probable cost of the Georgian Bay Branch what are we to do? From the reports of the various engineers it is apparent that it is impracticable without an immense expenditure to construct the road through our own territory round Lake Superior to Thunder Bay or Fort William. The sum that has been mentioned—$30,000,000—may be far under the mark. The country around and north of Lake Superior is described as a succession of rocky ridges and deep gorges running at right angles to the line, through which a railway could not be constructed without an enormons expenditure of money. It is an unsettled, inhospitable region, where there will never be any local freight. It could only be used in the summer season and then it could not compete successfully with lines through the United States or the water route from Thunder Bay. While, therefore, I am strongly in favor of an all-rail route, I consider that our financial difficulties, together with the slight information we have on the subject—and that information of such a character as to defer the Government from proceeding in that direction—I do not see how we can build that line. I am sorry that the hon. Senator from Woodstock, (Mr. Alexander), is not in his place, because I should like to have asked him a few questions in explanation of the views he expressed to-day. He is opposed to the building of the Georgian Bay Branch at all, and I am fully in accord with him. He thinks it would be a waste of the public money. So do I. And yet he supports the resolution which is under discussion, which would commit us to the building, or continuing the construction of, the Georgian Bay Branch as soon as the revenue meets the ordinary expenditure of the country, which may be next year—as the policy of this Government is not to have any deficits. Therefore, I did not wish him to be committed to this inconsistency without giving some explanation. I fail to see that he has convicted my hon. friend for Saugeen of inconsistency in the position he has taken on this subject. That hon. gentleman, (Mr. Macpherson), has always been opposed to the Georgian Bay Branch, but the position of things has changed, and it is a question with my hon. friend from Saugeen now whether, after the country is committed to the policy of the late Government of building that line, and after a considerable amount has been expended upon it, it would be wise, (if we could), to discontinue it, the usual clause for cancellation not being in the contract. My hon. friend from Woodstock, (Mr. Alexander), said that it would

be folly to build the road *via* Sault Ste. Marie, because American railway rings would not permit the Northern Pacific Railway to connect with it. In business matters the Americans are as sharp as any people in the world, and if they could get the produce of the west to the seaboard by a saving of time and at less cost by this route than by any other, they would adopt it. We know that Duluth is growing up very rapidly. It has the same relative position geographically and otherwise, on the shore of Lake Superior that Chicago has to Lake Michigan. They would be rivals in trade, and if Duluth could get a shorter route than her rival, which she could, by connecting with us at Sault Ste. Marie, she would utilize it. If we wish to secure our share of the great trade of the west, we should consider whether it would not be wise to build this road from Pembroke to Sault Ste. Marie, by way of the south shore of Lake Nipissing. In the summer season we would get also the traffic which comes by way of Lake Superior, as well as the trade which the extension of the Northern Pacific Railway to the Sault would give us. As to building the road north of Lake Superior, it is, to my mind, impracticable at present. After the North-West is settled it will be time enough to consider that question. Instead of spending $800,000, in improving the navigation of French River, we should employ the money in building the railway to Sault Ste. Marie. The mouth of the French River is filled with small islands of naked granite rocks, and the map of it looks as if it were pitted with small pox. It would be difficult to enter it, and the trade from Lake Superior would be more likely to pass it by and go to Collingwood, or *via* Lake St Clair. By going in from South River, on the south-east angle of Lake Nipissing to Sault Ste. Marie, you pass a harbor preferable, in every respect, to that of French River. I refer to Spanish River, a point at which there is a considerable settlement. I believe the steamers from Collingwood call at that place now, and it could be reached by the railway I propose for the same amount of money as it will take to improve the navigation of French River. Mr. Murdock, who made the report, tells us that the route would be through a country well adapted for railway purposes. The soil is fertile; it has large mineral resources, and the district is in every way adapted for settlement. It is a country that will pay to have opened up for colonization simultaneously with the North-West. If these reports are true, and it would only cost such a small sum of money, why not go on to that point, where we can, by that means, get hundreds of miles nearer to Thunder Bay by rail in summer, and have open navigation earlier and later in the season. The road could then be carried on to the village of Sault Ste. Marie, where it would only be one day's steaming to Thunder Bay. By connecting with the railway system of the Western States at Minnesota, Wisconsin, and Michigan, it will tap the western trade, and it would make the route between Montreal and Duluth 400 miles shorter than by any other line of railway in existence. There is no doubt trade will follow the shortest and best channel, when it saves time and distance. I would not be in favor of this line if I saw any other practical way, at present, to open a route through our own country to our great North-West; but there is no other way open to us, as our resources are not sufficient at present to build the railway north of Lake Superior. Sandford Fleming, in his last report, speaks of it as a matter that might be worthy of consideration after the road is completed to British Columbia, and our great west teeming with population, which means that it should not be thought of in our day and generation. Until the Dominion can afford to build the all-rail route through our own territory, for present purposes the route by Sault Ste. Marie would accommodate the trade of the West for some years to come, bringing the large bulk of it by the Ottawa Valley —the Lower Provinces getting the benefit of the trade—opening up the rich mining regions, and by the development of the iron mines create a demand for the coal of Nova Scotia.

Hon. Mr. SMITH—I trust it is not the intention of the mover of this resolution to press it to a vote; if he does I fear that many hon. gentlemen may not be fully prepared to vote either way at present, as they may not have sufficient information to decide which is the best route, nor have we had any expression of

the views of the Government as to which route they may be prepared to advocate. Till then, and not until then, should we be called on to give our opinion. With the amount of information the Government must now have, no doubt they will be prepared to suggest a good route. Under the circumstances I think this debate should be discontinued. Some hon. gentlemen advocate a route to connect with a line from the Western States for the purpose of getting through trade. That, in my opinion, is not what we desire. What we want is a route through our own country to penetrate the North-West Territory, to take in our immigration, and merchandise, etc, and to bring out the products of that country through our own territory, to serve our own people, even if the first cost and difficulty should be greater than the other project would involve. This would be carrying out the object that was first intended. I am not an advocate of a line to serve the Western States, as I do not believe the through traffic is of any benefit or profit to us. For instance, the amount of money we have spent, and what is being spent on our canals, will never prove a benefit in the shape of revenue or profit; therefore, let us in the future advocate such routes through our own territory as will serve our own people, and open up the country, as some of the lands will be fit for settlement on the through routes. We will then, for all time to come, have the road to serve our own purposes. If we are obliged to pass through the United States for seven months in the year, they will eventually receive the benefit of what we are now endeavoring to secure for ourselves at a considerable cost, and the trade, once diverted to St. Paul's and the United States, will scarcely ever be recovered by the people of Canada, who have to bear the taxation for the building of such works.

Hon. Mr. CAMPBELL—This matter has been substantially before the House several times. First in 1875, then in 1877, and to-day—certainly three times—and on each of the previous occasions it stood in a different position from that which it occupies at present. In 1875, and on the subsequent occasion referred to by the hon. gentleman from Amherst, no contract had been given out which would interfere in any way with the scope of the resolutions the House was asked to pass, and the resolutions the House did pass. Since then the affair has assumed a different position by force of Acts of Parliament, by contracts given out and by work commenced, so that the Legislature and the Government are committed to the existing state of things. The existing state of things is that a subsidy has been contracted for, and the faith of the country is pledged to those persons who have undertaken to continue the extension of the Canada Central to the vicinity of Nipissing. The faith of this country is pledged to those persons, that the road will be subsidized to the extent of $12,000 per mile, not only by force of a contract with the Government, but under an Act of Parliament, sanctioned by this House, and as to which it would seem to be, I think, unreasonable to pass a resolution now, desiring that what the House had previously assented to, and what was done under an Act of Parliament, should be receded from, and faith broken while the work was in progress. That is the case with reference to the Canada Central Extension. Then with reference to the Georgian Bay Branch, it is a contract which has also been given out under authority of an Act of Parliament; that contract exists, money is paid upon it, and the country is committed to it in just the same way as to the subsidy to the Canada Central Extension. It would be unreasonable for this branch of the Legislature to say, under such circumstances, to the Government, "do not do that which the country has undertaken to do, which Parliament has engaged to do, and ignore the interests that have grown up in consequence of this contract." The contract for the Canada Central Extension has been placed in the hands of responsible persons, to whom a large sum of money has to be paid under this agreement—a sum of upwards of a million of dollars. It seems to me, if my hon. friend from the Quinte division will excuse the expression, it is recommending the Government to do that which is not honest. It is not the conduct that an individual should pursue, and much less the conduct which the Government should pursue. The faith of the country should be cherished beyond everything.

Hon. Mr. KAULBACH — Nobody

contends otherwise, but the hon. gentleman from Belleville.

Hon. Mr. CAMPBELL—I do not intend to go into the whole question, as I do not think any advantage will result from discussing the policy of discontinuing the Canada Central Extension, or the Georgian Bay Branch, on this resolution. It will be of no use in that way, and the only service that I can render to the country by speaking to the resolution, at this moment, is to advise my hon. friend to withdraw it, and by pointing out the unreasonable character of the proposition which it contains. The views that have been expressed in this debate with regard to the Georgian Bay Branch were expressed in 1875 and 1877 in this House by the hon. gentleman himself and other hon. members, but when he considers for the moment the existing state of the matter, I trust he will not press the resolution to a vote, and will be content with the expression of opinion that has been elicited during the course of this debate. He cannot anticipate that the Government will do what this resolution suggests; the Government has not the power to do it; the means do not exist, and if they did exist the Government ought not to resort to them. This House has a perfect right to express an opinion, but the other House has pre-eminently the right to express its opinion on questions involving the expenditure of the public money. But this resolution proposes that one branch of the Legislature—and that not the branch charged with the supervision of money matters—shall ask the Government to disobey an Act of Parliament, to commit the breach of faith I have pointed out, and to destroy those interests which have grown up under the state of affairs I have tried to describe. I do trust the hon. gentleman will not press his resolution, because I conceive it is not a fair proposition in itself, as it places this House in a false position. If the resolutions of this House upon kindred questions are to have weight and influence with the Government and the country, they ought to be based upon such circumstances as will warrant and justify the course which they recommend. It is manifest that this resolution cannot do that, and it will only place the House in the false position of passing a resolution which cannot be complied with, and, if it were complied with, would be running in the face of Acts of Parliament. If the hon. gentleman presses his motion to a division, I can only hope and trust that the House will not commit itself to the proposition which it contains.

Hon. Mr. READ—From what has transpired, I am not at all surprised that the discussion has taken place, but I see that there is an evident desire that no division shall take place on this resolution. I am quite willing to accede to that feeling, but I think I have a precedent for the course I have taken. The House has already committed itself to a proposition similar to this. Take the resolution of 1875 which this House committed itself to, which declared that it was premature and unwise to undertake this work. This resolution was adopted after the Government had entered into a contract for construction of the road, and it was the precedent I have for submitting the resolution which I have brought before the House, and on that point I rather differ from the opinion of the leader of the Government; but as there is a general desire not to take a division on this resolution, I shall merely content myself with asking leave of the House to withdraw the motion.

The motion was withdrawn, and the order of the day was discharged.

BILLS OF EXCHANGE AND PROMISSORY NOTES BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (31) "An Act to amend and consolidate the laws respecting the duties imposed on Promissory Notes and Bills of Exchange."

He said: This Bill is one principally of consolidation. Hon. gentlemen who have read the first clause will find that all the legislation in reference to stamps has been repealed, with the exception of one clause. That clause is the one which refers to protests of promissory notes and bills of exchange; it has no reference whatever to the imposition of stamps. The new matter contained in this Bill is very small in-

deed. In reference to cheques, we find in the sixth clause of this Bill an omission of the following character. In the legislation, as it at present exists, any cheque on a chartered bank is not subject to have a stamp imposed upon it, but there are banks doing business that are not chartered banks, and cheques on these private banks, in consequence of the legislation that had taken place, had to be stamped, although made payable on demand. In the tenth clause provision is made so that stamped paper can be used. The trouble in connection with the use of stamped paper would be this: the difficulty in getting the exact value of the stamp on the paper to meet the requirements of the trade. The proviso is that adhesive stamps may be used in connection with the stamps on the paper. In the twelfth clause some words have been introduced to remove a doubt with reference to the penalty for not affixing the proper stamps at the proper time. In the twenty-fourth clause provision is made for the use of stamped paper, and where any stamped paper may be spoiled, it may be received under an order of the Governor in Council, when presented in amounts to the sum of five dollars. These are the only new clauses in the Bill. In fact, all the legislation that has taken place with reference to stamps has been repealed, and this new legislation has been introduced.

The Bill was read the second time.

THE CAMPBELL DIVORCE CASE.

CONSIDERATION OF THE REPORT OF THE SELECT COMMITTEE.

The order of the day being read,

Consideration of the Report of the Select Committee on (Bill K)—Eliza Maria Campbell's Relief Bill, together with the evidence taken before the said Committee.

Hon. Mr. DICKEY moved concurrence in the report.

Hon. Mr. KAULBACH contended that there was no evidence before the House on which to grant this relief. It was in evidence that overtures had been made by the husband to this woman; he had offered to take her back to his own house, and provide for her maintenance, and such being the case, this House had no right to interfere. There was no reason why she should not go back to her husband's house. There was no evidence of cruelty on the part of the husband, and he had done nothing more than any other man would probably have done, acting under the conviction that his wife had been unfaithful to him. He believed the husband had acted on that occasion in a prudent, calm and proper manner in ejecting that woman—his wife—who had been unfaithful, from his house, and the courts had sustained his action in that respect. He contended that this House had no right to pass this Bill, as the husband had made every concession that a man possibly could to this woman, without admitting, contrary to his convictions, that she was innocent of the charge brought against her. He had done everything compatible with his own convictions to restore peace to his household, and could do nothing more without being unfaithful to himself. The House had no evidence before it that this man was able to pay this amount of money, yet they were making him liable to a process of law and imprisonment every six months of his life, if he failed to meet these payments, without inquiring into what might be his ability to pay to his wife. He contended it was a departure from sound legislation, pernicious in character and tyrannical in effect, contrary to the policy of legislation, and not only in the Province of Ontario, but throughout the Dominion, where all men are treated alike. Every overture was made to her by her husband to settle the matter, and have her return to his home, but he could not admit that she was not in the wrong, or that there was no ground for the charge that was brought against her. He (Mr. Kaulbach) had been informed that she had retired to her own private apartments with her husband; that in the evening they were seen walking in the streets, she leaning on his arm, and it was supposed that an amicable understanding had been arrived at. Yet the House was asked to condemn this man for cruelty and injustice to his wife; it was asked to interfere with the jurisdiction of the courts, and without any evidence of cruelty on the part of the husband, or of his ability, to pay this money, subject him to this unheard-of proceeding, without, as he believed, any hon.

members not on the Committee having seen or heard the evidence, which had been placed on their desks but a few hours before the meeting of the House.

Hon. Mr. DICKEY said if his hon. friend would refer to the evidence taken before the Committee he would find that there was none to show that this man would take back his wife. Mrs. Campbell when questioned by her husband's counsel, testified as follows :—

" Q. Was there any offer from your husband to you, lately, to sink past differences and live together again ? A. His offer was that I should go and live with him, but not to forget the past. He offered to take me to Kansas. He said his idea was to go and look for a home; but his home is in Whitby.

" Q. Did you understand that his wish was for you to go with him to Kansas and live with him there as his wife, making that his home ? A. He said he wished me to travel with him and look out for a home ; we were to visit different places and decide after that.

" Q. Did not he say that he would condone the past ? A. No ; I did not understand him to say that he would condone the past. He said that after we had lived together for a time he would think over it, and perhaps, then he might. I answered that there was nothing for him to condone.

" Q. Did he give you any reason for proposing to go to Kansas ? A. Yes ; he said he could not take me to his home in Whitby; as he would feel disgraced by my presence there.

" Q. Did you feel that you could confide in his offer or proposition to you ? A. No ; I did not.

" Q. Why ? A. From his conduct to me in the past.

" Q. Did he not tell you that it was on account of your position with your neighbors and unpleasantness for the children afterwards residing in the same community ? A. No.

" Q. Has he since then made any offer to you to come and live with him ? A. The same proposal made to me before, which was some time in last February, after the commencement of this session, was renewed to me last Saturday on the same terms, except that there was nothing said about Kansas. I was to go and live with him at Whitby, and make myself comfortable if I could. He said he could not withdraw his accusations against me as a guilty woman.

" Q. How many meetings had you with your husband before coming to Ottawa, that is, in the last six months ? A. Three. * * * *

" Q. Was the proposition to go to Kansas made to you on the seventeenth of January ? A. I think not so early as that.

" Q. Did not Mr. Campbell make you, on Saturday, an unconditional offer to take you back to his house? A. His conditions to me were that I should return to his house as a guilty woman.

" Q. Did he make use of those words ? A. He said he believed his brother's accusations against me, and always would.

" Q. Was not the only point of difference between you this: that you required him to state, previously to your going home to him, that he believed you to be an innocent woman ? A. That was the point of difference between us, of course. I claimed to be an innocent woman—he said I was guilty.

" Q. Did he not say he would take you back, and not refer to the past ? A. I have no recollection of his saying that."

It was no wonder, under those circumcumstances, that they could not live together. The hon. gentleman would see that the whole of the former evidence was referred to by the Committee and verified.

Hon. Mr. KAULBACH considered that the examination had been conducted in an improper manner by Mr. Macdougall, the petitioner's counsel, as the questions were leading, and the evidence was suggested by him rather than voluntary evidence on her part.

Hon. Mr. POWER said he did not rise for the purpose of offering any factious opposition to the step which was to be taken, but simply to call the attention o the Chairman of the Committee to what he looked upon as a defect in the Bill. The preamble was the same as that of the Bill of last year, and it would be seen on reading over the language of it that it entered into a recital of a number of things which there was no necessity for having printed in the Statutes, and which were not referred to in the petition of the applicant. Mrs. Campbell's petition was comparatively brief, and many things were omitted from it that were set forth in the preamble of the Bill of last year. He considered that this Bill should be modified so as to make it harmonize with the petition.

The question of concurrence being put on Mr. DICKEY'S motion, the House divided, and the names being called for, they were taken down as follows :.

CONTENTS :

Hon. Messrs.

Aikins,	Hope,
Alexander,	Leonard,
Archibald,	McMaster,
Benson,	Macfarlane,
Bourinot,	Montgomery,
Bull,	Muirhead,
Christie,	Read,
Cochrane.	Reesor,
Dickey,	Seymour,
Dickson,	Smith,
Ferguson,	Stevens,
Ferrier,	Sutherland,
Flint,	Vidal and
Glasier,	Wark—29.
Haythorne,	

NON-CONTENTS :

Hon. Messrs.

Allan,	Macpherson,
Almon,	Miller,
Armand,	Paquet,
Campbell,	Penny,
Chapais,	Power,
Girard,	Scott,
Kaulbach,	Simpson and
McLelan (Londond'ry),	Trudel—17.
Macdonald,	

Hon. Mr. DICKEY moved that the Bill be read the third time.

Hon. Mr. KAULBACH objected, and said that the third reading should be ordered for to-morrow.

Hon. Mr. CAMPBELL said that he did not intend himself to ask the House to divide on the third reading of the Bill. He had already, with all the force he possessed, contended against the interference which it made with the common law of the country on the questions of alimony and the custody of children. He desired now simply to record his protest against the wrong that was being done by the interference ; but the majority of the House were evidently determined to pass the Bill, and no useful purpose could be gained by persisting in the opposition to the main objects of the measure. Assuming that it was to pass, he objected strongly to the clauses which it contained, which were intended to compel the payment of the alimony by the husband to the wife. The Bill invented a machinery for this purpose which was arbitrary and exceptional, and therefore unjust. It proposed a remedy against him which could not be used against any other subject of Her Majesty who might be in debt. If a man was unfortunate enough to be in that position, no matter how the debt might have been contracted, or how solemn the obligation might be to pay, payment could only be enforced by the ordinary process of the Courts, that was by an execution against his chattels, and ultimately his lands. But this Bill proposed to enact that if this man did not pay the debt created by this Bill, he should be deemed guilty of what was termed a " contempt of court," and being so guilty, if he did not pay the alimony could be sent to jail without bail until payment was extorted. An ordinary instance of what was meant by contempt of court was, where a man misbehaved himself in court by refusing to give evidence or showed disrespect to the Judge ; then he was guilty of contempt of court and was sent to jail, but no order of the kind could be made under any law which he, (Mr. Campbell), knew of, to compel the payment of the debt. This was an unusual and tyrannical provision, and one which ought not to have found its way into the Bill, even assuming that it was to pass. Then, in a subsequent clause it was provided that the Bill might be registered in any registration office in Ontario. This was in effect giving a mortgage upon all the husband's property in every county in Ontario to the wife to secure this alimony; now, whatever debt a man might be likely to contract, there was no way in which a creditor could extort a mortgage from him in the way this Bill proposed to do. A creditor could not take a debtor by the throat, and say you must give me a mortgage on all your property; but under this Bill not only could this be done, but the husband, in addition, could be sent to jail, as if he had committed a contempt of court, until he paid. These two provisions certainly ought not to be in the Bill and he, (Mr. Campbell), could not understand how hon. gentlemen in their anxiety to pass this Bill could commit themselves to such extraordinary provisions for compelling payment of a debt, provisions which constituted a complete departure from all sound legislation, and from that principle which should lead the House to legislate equally for all Her Majesty's subjects, and not favor or lean against one more than another.

Hon. Mr. DICKEY said he feared that his hon. friend had fallen unintentionally into an error with respect to this order or decree. It in no way bound the man's property.

Hon. Mr. CAMPBELL said that it did in every county in this Province.

Hon. Mr. DICKEY—Then, the hon. gentleman must know more about the law of Ontario than I do.

Hon. Mr. CAMPBELL—It amounts to a mortgage on all the man's property.

Hon. Mr. DICKEY—It might amount to a mortgage, at the same time it would be perfectly right that the property should be secured, otherwise the man who was animated by the feelings that this man had towards his wife, would very soon divest himself of his property, and her of the support which it was the desire of Parliament to give her. This seventh clause, to which the hon. gentleman had referred was read in the light of the sixth sub-section which had been struck out of the Bill, and which provided that it should be lawful at any time, should the respondent fail to meet his payments, for the petitioner to apply to the Supreme Court setting forth her claims and get an order compelling this man to pay. If he did not comply with that order, he should be guilty of contempt of court. That clause having been struck out, from that point of view the hon. gentleman's suggestion was correct, that there should be a provision to give the petitioner the right to apply to the court for an order for the payment. The intention of the promoter of the Bill had been called to that point, and he had prepared an amendment to that effect. Then, if the husband failed to obey that order, he would be guilty of contempt of court, and subject to punishment.

Hon. Mr. CAMPBELL—Why so any more than for any other debt?

Hon. Mr. DICKEY—That was merely because this acted as a judgment against him. A wife could not sue her husband, and she would have to apply, in a summary way, to get relief, if the object of this Act of Parliament was to be carried out. If she applied to one of the ordinary tribunals for an order, it could not be given. Now, why should the husband say that he was above the courts of the country, and above the jurisdiction of Parliament, by refusing to obey an order of the Supreme Court, and not be guilty of contempt.

Hon. Mr. CAMPBELL said there was no reason why he should be guilty of contempt in that way. He should not be placed in a position different from other men against whom there were judgments?

Hon. Mr. REESOR gave notice:—

"That when the Order is called for the third reading of the Bill, intituled: 'An Act for the relief of Eliza Maria Campbell,' he will move, that after the word 'instalment,' in the twenty-third line, page four, that the following words be added:

"It shall be lawful for the said Eliza Maria Campbell to apply to a Judge of one of the Superior Courts of Ontario, or to one of the County Judges of Ontario, and the said Judge is hereby authorized and empowered to grant her application for an order to the said Robert Campbell to pay the instalment or instalments then over due, and the casts of said application and order, and if he shall disobey."

Hon. Mr. CAMBPELL—This is not the penalty attached to any other debt.

Hon. Mr. REESOR said it was unlike any other debt. He knew the difficulties that had been thrown in the way of securing the payment of certain sums that Mr. Campbell had promised to pay three years ago, when the case was before a committee of this House. At that time he had agreed to pay the costs of the respondent, Mrs. Campbell, and the attorney, on his behalf, pledged to the Committee that it should be done. After the Committee had risen and made their report, and after they had taxed the costs, he had refused to pay them He was sued for the money and he went from court to court, and he never paid these costs until about a month ago, although he had agreed to pay them in the presence of the Committee. He had since openly declared that if this Bill were passed, he would not pay the money—that he would appeal it from court to court, until he had tired her out so that she should not be able to get the money.

Hon. Mr. DICKEY moved that the Bill be read the third time to-morrow.

The motion was agreed to.

The House adjourned at 6 o'clock p. m.

THE SENATE.

Friday, April 25th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE DETROIT RIVER TUNNEL.

A PETITION PRESENTED.

Hon. Mr. VIDAL presented the petition of William McMaster, praying for leave to introduce a petition for a private Bill respecting the proposed railway tunnel under the Detroit River. He explained that a sudden emergency had arisen rendering the proposed legislation necessary this session, and he had taken this course because the time for receiving petitions for private bills had expired some time before. He moved :

"That the fourth Rule of this House be dispensed with, in so far as it relates to the petition of the Hon. William McMaster, Senator, praying that the Detroit River Tunnel Company may be permitted to petition for an Act amending the Acts relating to it ;

And also, to the petition of the said hon. William McMaster, Senator, praying that the Canada and Detroit River Bridge Company may be permitted to petition for an Act amending the Acts relating to it, and that leave be granted to present the said petitian of the said Hon. William McMaster, Senator."

The motion was agreed to.

The SPEAKER presented a communication from the Senate of Michigan on the same subject.

Hon. Mr. MILLER—What is the nature of this communication ?

Hon. Mr. CAMPBELL read it as follows :

"STATE OF MICHIGAN, EXECUTIVE OFFICE.
"LANSING, April, 23, 1879.

SIR,—I have the honor to enclose herewith copy of preamble and resolution adopted by the legislature of this State, which I have been directed to transmit to you.

I am, very, respectfully,
Your obedient servant,
GEORGE C. SMITH,
Private Secretary.

To the SPEAKER
of the Senate Canada.'

Concurrent Resolution :

Resolved,—By the House of Representatives of the State of Michigan, (the Senate concurring), that the Congress of the United States and the Parliament of the Dominion of Canada, be and they are hereby respectfully requested to authorize the building of a Bridge across the Detroit River, at or near the city of Detroit, subject to such reasonable terms and conditions as may be prescribed.

Resolved,—That the Governor be, and he is hereby requested to transmit a copy of the foregoing resolution to each of our Senators and representatives in Congress, and also to His Excellency the Governor-General of Canada, and to the presiding officers of the two Houses of Parliament at Ottawa.

ALONZO SESSION,
President of the Senate.
JOHN T. RICH,
Speaker of the House of Representatives.

Hon. Mr. MILLER asked if a paper of that kind should not be presented either by message from His Excellency the Governor-General, or on notice of motion.

Hon. Mr. DICKEY thought that there could be no objection to this sort of intercourse between two cognate bodies such as the Legislature of Michigan and the Senate of Canada. It would not be courteous to refuse to receive it.

Hon. Mr. MILLER said that it was not a question of courtesy, but a question whether the mode of submitting the document to Parliament, was usual The other day an extraordinary document came before the Senate from some trade association in England, and an attempt was made to lay it on the table of the House in the same way.

Hon. Mr. DICKEY—That was not from a legislative body.

Hon. Mr. MILLER said it did not make the slightest difference. It was

thrown out in the other House because a paper of that sort could only come by message or by notice. He thought there was no doubt that it was an irregular mode of proceeding.

Hon. Mr. CAMPBELL said that this document had not been presented by the Government in any way. He had first heard of it when the Speaker submitted it to the House. Certainly it would be a lack of courtesy if the House should refuse to receive it.

Hon. Mr. CHRISTIE could see no objection to the reception of this communication. It was totally different from the document referred to by the hon. Senator from Richmond, which had been presented in such a way that it could not be received by the House of Commons. He, (Mr. Christie) did not know a rule of the House which would prevent the reception of this communication from the Legislature of Michigan.

The SPEAKER—A resolution passed bythe State of Maine has already been received in this House.

Hon. Mr. PENNY was sure that the hon. Senator from Richmond meant no disrespect to the Legislature of Michigan. It was only a matter of form, and, perhaps, was of no great importance. In the other House, the petition of the Free Trade and Reciprocity Association had been rejected in accordance with a rule which declared that no parties outside of Canada could petition this Parliament.

Hon. Mr. MILLER said that the hon. Senator from Alma, (Mr. Penny), was right in supposing that he (Mr. Miller) had ro desire to exhibit any discourtesy to the Legislature of Michigan, but if it was necessary to get this communication before the House it should be done in a regular manner. It should be sent to the Secretary of State, and then, on a message from the Governor-General or by proper notice, it could be laid on the table. He admitted that it was not a matter of consequence in this instance, but a case might arise in which it would be a matter of great importance. If the Speaker had a right to lay such a document on the table of the House, any hon. gentleman had the same right, and could, if he thought fit, pursue a similar course when it might not be desirable in the public interest that he should do so.

Hon. Mr. CHRISTIE said that the Speaker, in such a case. would not of course present a communication which was objectionable to the Senate; but, even if he should do so, it would be on his own responsibility. There was nothing in the rules or practice of the House which would preclude the reception of a communication of this kind.

Hon. Mr MILLER said that this was a matter of more importance than might appear at first sight. The hon. Senator from Erie, (Mr. Christie), was too old a parliamentarian to suppose that the House was guided merely by its rules. It was governed by usage and practice as well, and it was not wise to establish a precedent which might lead to serious embarrassment at some future time.

Hon. Mr. TRUDEL said that if the hon. Senator from Richmond was right, the Governor-General would have no right to receive this communication. He should receive it through the Imperial Parliament, because it came from a foreign legislature. If the principal were right it would extend that far.

Hon. Mr. POWER could see nothing to prevent any member of the House from presenting such a communication if the House did not object to it.

Ordered, that the said communication be laid on the table.

OCCIDENTAL RAILWAY BRIDGE BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbors, reported that they had gone through Bill (45) "An Act to authorize the construction of a bridge over the Ottawa River for the use of the Quebec, Montreal, Ottawa and Occidental Railway, and for other purposes," without amendment.

Hon. Mr. PENNY moved the third reading of the Bill.

The Bill was read the third time and passed.

THE CAMPBELL DIVORCE CASE.

THIRD READING.

The order of the day having been called for the third reading of Bill (K) "An Act for the relief of Eliza Maria Campbell,"

Hon. Mr. REESOR moved:—

"That after the word 'instalment,' in the twenty-third line, page four, that the following words be added:—

"'It shall be lawful for the said Eliza Maria Campbell to apply to a judge of one of the Superior Courts of Ontario, or to one of the County Judges of Ontario, and the said Judge is hereby authorized and empowered to grant her application for an order to the said Robert Campbell to pay the instalment or instalments then overdue, and the costs of said application and order, and if he shall disobey,'"

He said that this clause, either with or without the amendment, had been strongly objected to, on the ground that in Ontario no other debtor was liable to be treated as being guilty of contempt of court for refusing to pay his indebtedness. Another feature which was considered objectionable was that the Bill could be recorded in any registry office of Ontario and would be binding on the real estate of the respondent. With reference to the latter objection, he contended that the provision objected to was in harmony with the administration of the Court of Chancery, as would be seen by reference to Section 44 of Cap. 40 Con. Statutes of Ontario, which read as follows:

"An order or decree for alimony may be registered in any registry office in Ontario, and such registration shall, so long as the order or decree registered remains in force, bind the estate and interest of every description which the defendant has in any lands in the county or counties where such registration is made, and operate thereon for the amount or amounts by such order or decree ordered to be paid, in the same manner and with the same effect as the registration of a charge of a life annuity, created by the defendant on his lands, would."

So that there was nothing new in that. With regard to the other provision—making the respondent guilty of contempt of court if he refused to obey the order to make these payments—it was nothing more than was recognized by every County court judge or every division court judge in Ontario. Parties were very rarely imprisoned for debt, indeed, never imprisoned, unless it was shown that they were able to pay and refused to do so. He would refer the House to the 5th sub-section of the 182nd clause, chapter 47, of th Consolidated Statutes of Ontario, which was as follows:—

"And if he has refused or neglected to pay the same at the time ordered, whether before or after the return of the summons, the judge may, if he thinks fit, order such party to be commited to the common gaol of the county in which the party so summoned resides or carries on his business, for any period not exceeding forty days."

But after the end of the forty days, he might be again ordered to pay, and, on refusal, be committed for another term, as provided under sec. 189, cap. 47:—

"No imprisonment under this Act shall extinguish the debt or other cause of action on which a judgment has been obtained, or protect the defendant from being summoned anew and imprisoned for any new fraud or other default rendering him liable to be imprisoned under this Act, or deprive the plaintiff of any right to take out execution against the defendant."

The imprisonment was not because he owed a debt, but because he refused to pay it when ordered by the court to do so. There was nothing new, therefore, in this legislation.

The motion was agreed to on a division.

Hon. Mr. REESOR moved an amendment to the 9th clause to make it correspond with the 44th section of chap. 40 Consolidated Statutes of Ontario.

The amendment was agreed to.

Hon. Mr. REESOR then moved the third reading of the Bill.

Hon. Mr. ALMON rose to record his reasons for the vote he intended to give against this Bill. He had read the evidence which had been printed, and in his opinion, a clearer case of adultery had never been proved. It was a crime which was usually committed in secret, but in this case there had been two witnesses of the act. The conflicting part of their testimony only proved, in his opinion, the truth of what they had stated. Now, what was the Senate asked to do? They

were asked to declare that this man should never have a happy moment in his life again.

Hon. Mr. CARRALL—I hope he will not.

Hon. Mr. ALMON, (continuing)—This House was asked to condone the infamy of his wife, and to compel him to pay $500 a year to the woman who had brought disgrace upon him and his children. And she was to be granted custody of the children. Was she a proper person to bring up a child? Was it fair to compel this man to pay for the support of a child which he had reason to doubt was his own?

Hon. Mr. SMITH—He admits it is his own.

Hon. Mr. ALMON said he could not give a silent vote on this question. He might be told that a large number of people believed the petitioner was innocent. That reminded him of an anecdote respecting the trial of Queen Caroline. The mob of London and a large part of the country were in her favor, because she was weak, and those who opposed her were strong, but there was no doubt of her guilt. While the trial was going on, a member of Parliament, who was opposed to the Queen, was met by the mob on his way to the House of Commons. They declared that he should not be allowed to proceed without giving three cheers for Queen Caroline. He said "Three cheers for Queen Caroline, and may your wives and daughters be like her." The mob crept away, because they were satisfied in their own hearts of her guilt.

Hon. Dr. CARRALL said he had profound respect for what was known in the House of Commons as a "new member," and he had known Senator Almon for a long time, but the hon. gentleman's first effort in this House had materially disappointed his, (Dr. Carrall's), expectations. If the hon. gentleman had examined all the evidence in this case, he would not have displayed such a want of knowledge of its details. He, (Dr. Carrall), ventured to say that the old members of this House knew more of this case than a Senator of yesterday's creation. If an actuary were put to work to count the number of hours spent in discussing this case, he would prove to the Government the necessity and importance of the early establishment of a Divorce Court. This case must have cost the country thousands and thousands of dollars, and yet a new Senator, new not only to this Chamber, but also to the facts of the case, presumed to pronounce an opinion—as, of course, he had a constitutional right to do—adverse to the passing of this Bill.

Hon. Mr. MACDONALD—He has read the evidence.

Hon. Dr. CARRALL said that the evidence amounted to nothing except to show that the Senate ought, if it had the power, to have incarcerated the people who gave it. He believed that this woman was innocent, and that her husband was a brute. He had treated her as only as a brute would do—as no carter on the cab stand would treat his horse—and as this was the only place where she could get relief, the House should give her out of the abundance of her husband enough for her support.

Hon. Mr. POWER considered that his colleague, (Dr. Almon), was quite as well able to form an opinion in this case as to the guilt or innocence of this woman as the hon. gentleman from Barkerville. He did not think a long experience in the high moral atmosphere of the Senate improved a man's capacity for forming a correct judgment in such matters at all times. He would move:—

That the said Bill be not now read a third time, but that it be referred to the Select Committee who have had the same in charge for the purpose of so amending the preamble as to make it comformable to the petition of the said Eliza Maria Campbell, and of striking out at the end of the seventh section the words following: 'and if he shall disobey he shall be deemed guilty of a contempt of court."

Even in passing a bill of this kind, they should have some regard for parliamentary form, and make the preamble conform to the petition upon which it was based. With reference to the other matter, it had been dealt with very fully by the leader of the Government, and he did not wish to say anything on the merits of the case except this: As the Bill now stood without those words with reference to con-

tempt of court, this lady had the fullest means of making her husband pay the debt without this extraordinary measure of being liable to imprisonment. Hon. gentlemen should consider what the conditions of this proposed enactment were. It meant simply this : if a lady was anxious to get rid of her husband, and be comfortably provided for at his expense, all she had to do—if she did not wish to be guilty of adultery—was to act in an exceedingly indiscreet and imprudent manner. She could then come to this Legislature. and get a bill passed on evidence that she had been exceedingly indiscreet and imprudent, and compel her husband to pay her money, and pay it under the most stringent conditions.

Hon. Mr. TRUDEL said he did not intend to oppose the Bill any more, but as the House was determined to pass it, he would suggest to his hon. friend to leave it as it was, as the fact would be all the more striking that it had been adopted against the ordinary rules of legislation.

Hon. Mr. KAULBACH charged the hon. gentleman who was promoting this Bill with having prejudiced the case of the respondent by stating to the House that he had refused to pay the costs of the previous case, or his obligation to Mr. Macdougall, Mrs. Campbell's solicitor. That claim had been urged before the courts, and Mr. McDougall had been nonsuited as to his first count for $350 claim as being unjust and illegal. He had been allowed $500, by the Senate who had taxed the wife's costs against the husband, but Mr. McDougall had previously demanded $1,000. Mr. Campbell was justified in resisting the demand, and the matter had no right to be imported into this debate to prejudice his case. The hon. gentleman had endeavored in this way to create a wrong impression on the mind of the House.

Hon. Mr. REESOR said the respondent had refused to pay even the costs that had been taxed by the committee, although he had pledged himself to pay them.

Hon. Mr. KAULBACH contended that there was no evidence of the kind before the House, and that there were not more than half a dozen members of the House, outside of those who were on the committee, who he believed had read the evidence, yet they were asked to vote for this Bill and give the woman more than she had asked for herself. There was evidence that she was willing to accept three hundred dollars a year, and yet the committee proposed to compel the husband to pay $500. He knew that Mr. Campbell had stated, when this matter was first brought before the Senate, that there were members of the House prejudiced against him, and in his, (Mr. Kaulbach's), presence had requested the hon. gentleman from King's not to place certain persons on the committee, that his case would be prejudiced, and that his interests would not be properly considered if they were. Still the hon. gentleman who presented his petition and had his case in hand persisted in placing those gentlemen on the committee, and the committee he believed was packed, not to do justice between the parties, but to bring in such a report as the hon. gentleman desired, adverse to the prayer of the petitioner.

Hon. Mr. HAVILAND rose to a point of order. He had been in Parliamentary life for many years—over a quarter of a century, and he had always understood it to be a vital principle of Parliamentary rules that it was a breach of privilege to accuse, or state that any parliamentary committee, in any Chamber was a packed committee and that they were organized to carry out a certain result. He contended that if hon. members sat in their seats and allowed the language of the hon. gentleman from Lunenburg to go forth to the public without comment or censure, they had no right to be Senators of the Dominion of Canada.

Hon. Dr. CARRALL said that the hon. gentleman from Lunenburg was out of order in his remarks, but he had furnished an additional proof of the brutality of this thing Campbell, when he had dared to approach an hon. Senator and ask to be allowed to choose his jury—a jury that would be partial to his side of the case. He would not sit silent in his place in this Senate, and hear the hon. gentleman from Lunenburg impugn the integrity of the Committee without protest.

Hon. Mr. KAULBACH said he had not impugned the conduct of the gentle-

men on that Committee; he had no doubt that they had discharged their duty conscientiously, but he claimed that the Committee were improperly chosen. In every court the party applying for a jury had a right to be consulted and to challenge the jurors.

Hon. Mr. HAVILAND—The charge I make is this: that the hon. member stated that the Committee was a packed Committee, organized to carry out a certain result.

Mr. SPEAKER—I can only say that the hon. member has no right to describe a Committee of this House as being a packed Committee.

Hon. Mr. KAULBACH—I never intended to say they were a packed Committee, but I charged the hon. gentleman, (Mr. Reesor), with being desirous of having his Committee report in a certain way, and he constituted it of members adverse to the interests of the petitioner.

Hon. Mr. REESOR—I beg to inform the hon. gentleman that his charge is incorrect. I did not select the committee to have them report in a certain way; I selected these gentlemen because I believed they would act impartially in the case.

Hon. Mr. KAULBACH—Such is not consistent with what the hon. gentleman said to me. I remember distinctly that Mr. Campbell requested the hon. gentleman, in my presence, that certain members should not be placed on that committee; that he believed they were biased; and that they were opposed to his interests in this matter, yet in defiance of that they were placed on the committee.

Hon. Mr. DICKEY—The hon. gentleman has gone further than he did before, because he professes to make a statement of what Mr. Campbell believed, and on the strength of that to say that he could not expect justice from the committee.

Hon. Mr. KAULBACH—I will not call it artful dodging. (Cries of order, order, order.)

Hon. Mr. MILLER—I would appeal to my hon. friend who, I know has some regard for decorum in Parliamentary proceedings, whether in his cooler moments he will approve of the language he has used. I think the hon. gentleman will be the first to be sorry, that in the heat and excitement of debate, he used such language. It is derogatory to the dignity of this body, and is certainly unparliamentary.

Hon. Mr. KAULBACH—I am imputing nothing to the Committee, and decline the lecture of the honorable gentleman from Richmond. I am simply explaining why this evidence does not meet with my approbation, and I believe it does not commend itself as favorably to the House as it would have been had the Committee been composed in a different way from what it was. I shall maintain that position. I made the same objection when my hon. friend asked for the last Committee, that it should not be composed of gentlemen who had all voted on one side, and that unless he changed its complexion the report should not receive the same consideration from me and the House that it otherwise would.

Hon. Mr. CHRISTIE—There must be some way of putting an end to this imputation. The hon. gentleman has been ruled out of order, and in spite of that ruling he goes on reiterating his charges against the Committee, I am astonished that he should persist in such a manner.

Hon. Mr. CORNWALL—My hon. friend, unfortunately, has not to impute motives, but to speak of reasons, which to his own personal knowledge induced the hon. gentleman who introduced this Bill to take the course which he did in naming the members of this House who should form this committee.

Hon. Mr. DICKEY—Is that not an imputation on the hon. mover of this Bill?

Hon. Mr. CORNWALL—There is no imputation about it; it is evidence of facts and circumstances, and looking upon it from that point the hon. gentleman is perfectly in order.

Hon. Mr. WARK—If the hon. gentleman is right, then the Speaker is wrong.

and he must appeal to the House against the Speaker's decision.

Hon. Mr. SMITH—I am surprised to see the turn that matters have taken in this case. I am also surprised to find that the juvenile member (Mr. Almon) of this House cannot see why we do not follow him in his convictions as to the guilt of this woman, and that he has not the modesty to believe that we can form our own judgment without any direction on his part. I am also surprised to hear an hon. gentleman accuse members of this House, who are here for the purpose of doing their duty to their Queen and their country, of being a packed Committee. I think it is lowering the dignity of this House, and unbecoming on the part of a gentleman of his experience. I trust this matter will be ended by every hon. gentleman casting his vote according to his own convictions.

Hon. Mr. CAMPBELL—The hon. gentleman is out of order to say that a Committee was packed, or in impugning the motives of the gentlemen who composed that Committee. The hon. gentleman should be prepared to admit both of these things, and also that hon. gentlemen did their duty on that Committee. Their report is the view they take of the evidence, and, unless that admission is made, and made in good feeling, it is impossible to carry on the business of the House in a proper manner.

Hon. Mr. KAULBACH—I never intended to impugn, and did not impugn, the conduct or motives of hon. gentlemen on that Committee. I think every one acted in good faith, but I impugn the manner in which that Committee was formed by the hon. gentlemen adverse to the wishes and rights of petitioner—and I stand by it.

Hon. Mr. CAMPBELL—The Committee was not struck by the hon. gentleman from King's; he proposed certain names, but the action is the action of the House.

Mr. SPEAKER—With reference to the point of order, on referring to Todd, I find that he says :—

"In the appointment of a select committee, any member may name a person, and the clerk is to write him down as one of the committee, if no objection be taken against him. But the House has a controlling power over the names and number, if a question be moved against any one—and may, in any case, put in and put out whom they please. Those who take exception to some particulars of the Bill are to be of the committee, but none who speak directly against it. For he that would totally destroy, will not amend it, or, as is said, the child is not to be put to the nurse that cares not for it. It is, therefore, a constant rule 'that no man is to be employed in any matter who has declared himself against it.' And when any member against the Bill hears himself named of its committee he ought to ask to be excused. Thus March 7th, 1606, Mr. Hadley was, on the question put, excused from being of the committee, declaring himself to be against the matter itself."

There has been a later decision in regard to it, that no member who has opposed a Bill is to be placed upon the commitee to which it is referred.

Hon. Mr. MILLER—With all deference to your Honor, I do not think that point is involved in this discussion. We are now considering the propriety of the hon gentleman referring in such terms to a committee of this House. I am sure that the hon. Senator will admit on reflection that it was unfortunate he should make such a reference, and that he should evince such feeling on a matter which we are called to act upon as a judicial tribunal. It is one of the last questions on which feeling should be allowed to show itself. I do not know a measure that has come before this House which has excited such feelings, and it only shows how unfit we are, as a tribunal, to decide such questions. There is another point to which I wish to refer, and it is this : when a question of order arises in this House, it is the duty of the hon. gentleman who has the floor to take his seat. There is no other way of preserving order. It is most unseemly, when order is called in this House, that any member should say "I will keep the floor!" Unless order is kept, the House must, of necessity, degenerate into a mob. The duty of preserving order devolves upon us to a greater extent than in the House of Commons, because our Speaker has no power to call us to order. In the other House it is the duty of the Speaker to call a member to order, but our Speaker has to rely upon the good sense and good temper of the members themselves.

Hon. Dr. CARRALL—I am determined, while I have a seat in this House, not to be crushed down by cries of "order," when I endeavor to discharge a public duty.

Hon. Mr. MILLER—If my hon. friend will turn to Rule 25 of the House he will find it provides that "Any Senator, when called to order, shall sit down, and shall not proceed without leave of the Senate."

Hon. Dr. CARRALL—But when two members rise simultaneously, have they not the right to stand until the Speaker decides which of them has the floor?

Hon. Mr. KAULBACH—I wish to state that I objected to the hon. gentleman from King's, (Mr. Reesor), repeating some remarks made by Mr. Campbell, to members of the committee, not in the committee, and I thought it right to state what I had heard Mr. Campbell say to him in my hearing, without attempting to impugn the motives of the hon. gentlemen who formed that committee.

Hon. Mr. DICKEY—I rise to a point of order. I am under the impression that the motion of the hon. Senator from Halifax, (Mr. Power), cannot be put. No notice of it has been given. The hon. Senator has been appealed to by several hon. gentlemen who are in accord with him to withdraw it, but he has refused to do so I contend that the rules of the House will not permit him to put it.

The SPEAKER—No notice of this resolution has been given, and it cannot be put.

Hon. Mr. VIDAL—I must confess, hon. gentlemen, that I had hoped that the unanswered—and I venture to say unanswerable—arguments, presented to this House by the Receiver-General, would have had some effect upon the minds of hon. members, and induce them to take no further action with respect to this Bill, which, I think, is one involving questions of very serious importance. I approach the discussion of this subject without being consciously influenced in the slightest degree by sympathy for either of the contending parties. Possibly I may not be entirely free from that natural feeling which every hon. gentleman would entertain, for the weaker party, but I know neither party personally, and can, therefore, approach this question with the strict impartiality of a judge, desiring to do that, and that only, which is right and proper. I do not now enter at all into the merits of the case as between the parties, and for this reason, that my objection to the Bill before us rests upon considerations entirely different from the mere justice or injustice of its provisions. It is, that this House is undertaking a piece of legislation with which, in my judgment, it has no constitutional right to deal. My belief is that while the Confederation Act unhappily gives to this Legislature the power to determine cases of divorce, it means only that species of divorce which absolutely disolves the marriage tie, which will set the man and woman entirely free from its obligations, and enable them to contract new alliances if they wish, and that no such thing as a separation from bed and board and granting alimony is contemplated, or will be held by the Supreme Court, to be contemplated, as coming within our jurisdiction by the provisions of the Confederation Act. I am quite well aware that the hon. Senator from British Columbia, (Dr. Carrall), who has shown such remarkable zeal for the petitioner in this case, has furnished us high legal authorities, and precedents from the House of Lords in the mother country, to justify this House in passing this Bill, but I contend that there is not the slightest analogy between the cases. On the one hand you have the inherent supreme authority of the Imperial Parliament, over which there is no control, nor any limitations of its powers by any superior authority. It can do anything and everything it thinks fit. On the other hand, our powers and authority are given and defined by Act of that Parliament, and our legislative powers are thereby limited, and distinctly specified. One class of subjects is given exclusively to this Parliament, another class exclusively to the Provincial Legislatures, and among the latter is one—in my judgment—clearly including these questions of alimony and custody of children. I think, hon. gentlemen, that it is to be regretted that this House did not, in the first instance, concur in the resolution that was offered, to submit this

Bill to the Judges of the Supreme Court for their opinion, before we proceeded further with it. I do not hesitate to say that had this been done; and had an answer been given by that Court to the effect that we had authority to pass this Bill, most gladly would I have supported it; but it is because I believe very firmly and strongly that we have no jurisdiction in this case, and that it would be most improper andun wisefor us, as a branch of parliament, to take the initiative in putting such legislation on the statute books of the country, that I opposed the passing of this Bill. I object, also, to the details of the measure in dealing with the custody of children, and in putting our hand, as it were, into the pockets of an individual, by compelling him to pay a certain sum of money or be committed to prison —authorizing, in fact, imprisonment for debt. This is a species of legislation that we have no right to grant. What would be the probable—nay, actual effect of such a law as this? I admit that we are not responsible for results if we act justly and rightly; but it is wise and prudent to take a glance at what we may naturally expect will be the consequence of this legislation. In the first place, if we pass this Bill, we are making this House a Court of Appeal from the decisions of the courts in all cases of suits for alimony and custody of children in the several provinces. It is quite true that it is ouly an individual case from the Province of Onterio now, but if we can interfere with the decision of a judge of a competent court there, refusing to give alimony, we are assuming the functions of a supreme court of appeal for all the provinces. If there were no opportunity in any province for securing that right it should be done in a case of this kind. I could understand that an appeal should be made to this legislature, but ample provision has been made for such cases as this. We have evidence that this case has been before a court, and this House is now asked to give a decision in direct opposition to the judgment of the Court of Chancery in Ontario, before which this question of alimony was argued. I contend that it is a most dangerous precedent to establish, and that if established we may expect to have cases of this kind every session of the legislature. Unfortunately, these ill-assorted marriages, in which neither happiness nor comfort is enjoyed by those who contract them, are too numerous, and we may be asked, from time to time, to compel, perhaps, a worthy and honorable fellow-citizen to provide for a person who had forfeited all claim whatever upon him. Such cases may suggest themselves as likely to occur. I regret exceedingly, however, that the decision of the House will be in favor of this Bill, that the Senate is to be the place in which this kind of legislation is to originate. It has hitherto occupied the proud position of having exercised, in all its acts, great deliberation and good judgment, and on those occasions heretofore, when its judgment has been opposed to that of the House of Commons the deliberate and general sentiment of the country has been that the position of the Senate was correct. I hope that in this instance the case is to be reversed, and if the check on unwise and imprudent legislation is to be applied, it will be this time, not by the Senate, but, as I trust it will be, by the House of Commons.

On the question of concurrence on the motion that the Bill be read the third time, the House divided, and the names were taken down as follows:

CONTENTS:

Hon. Messrs.

Aikins,	Haythorne,
Alexander,	Hope,
Archibald,	Leonard,
Benson,	McMaster,
Bourinot,	Macfarlane,
Brouse,	Montgomery,
Bull,	Muirhead,
Carrall,	Odell,
Christie,	Price,
Cochrane,	Read,
Dickey,	Reesor,
Dickson,	Seymour,
Ferguson,	Smith,
Flint,	Stevens,
Glasier,	Sutherland,
Grant,	Wark, and
Haviland,	Wilmot (Speaker)—34.

NON-CONTENTS:

Hon. Messrs.

Allan,	McClelan (Hopewell),
Almon,	McLelan (Londond'ry),
Armand,	Macdonald,
Baillargeon,	Macpherson,

DeBoucherville,	Miller,
Bureau,	Pelletier,
Campbell,	Penny,
Chaffers,	Power,
Chapais,	Pozer,
Cornwall,	Scott,
Dumouchel,	Simpson,
Girard,	Trudel and
Kaulbach,	Vidal—26.

Hon. Mr. REESOR moved that the Bill do now pass.

The motion was agreed to on the same division.

Hon. Mr. REESOR moved:

"That a Message be sent to the House of Commons by one of the Masters in Chancery, to communicate to that House the evidence taken before the Select Committee of the Senate, to whom was referred the Bill, intituled: 'An Act for the relief of Eliza Maria Campbell,' and the papers referred to them, with a request that the same may be returned to this House."

Hon. Mr. TRUDEL objected to the motion; there was no proper evidence in the matter. These was only the evidence of the petitioner.

The motion was agreed to on a division.

CONTAGIOUS DISEASES ANIMALS BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (55) "An Act to provide against infectious or contagious diseases affecting animals." He said: When this Bill was last before the House the hon. gentleman from Amherst called attention to the fact that the legislation asked for came within the jurisdiction of the local legislatures. With regard to the powers of local legisatures, they are pretty clearly marked out. So far as the question of health is concerned it is relegated to them in a certain way, but the question of public health is also relegated to the Federal Parliament. I do not think this Bill should be discussed as a matter of public health, which applies to human beings, and not to the lower order of animals, such as cattle. Immediately after the hon. gentleman from Amherst had stated his objection, the hon. Senator from Richmond interjected a remark that applies to this case—that it may be considered an incident of trade—and I think very properly so. Under the legislation we have had on our statute books for years, it is a well known fact that the Government has seen fit, at different times, to prevent the importation of cattle into the country, to quarantine cattle, and to order cattle to be slaughtered, or to be returned whence they came. I think any person who has considered this subject will come to the conclusion that this matter comes within the purview of the Federal Parliament, as affecting trade and commerce. Were that not the case, and we had not the power, then the legislation of the past that has received the sanction of Parliament, must have been very much out of place. The new legislation that is introduced does not affect the principle embodied in the present Act; it only goes this far: it throws upon individuals who may be aware of the fact, that they have diseased animals in their herd, the responsibility of communicating with the Minister of Agriculture; in order that an investigation may take place, so that the disease, if it exists, may be stamped out, and if the individual who is aware of the fact refuses, or neglects to inform the Minister of Agriculture, he is subject to a fine of two hundred dollars. I think there can be no doubt whatever that this legislation is an incident to trade, because if we have not the power to legislate in this direction and to prevent diseased cattle from coming into, or passing through the country, or being kept in stock yards, then certainly we would have no power to legislate with regard to single cases of disease that may be found in the country. We have the power to legislate in that direction, and there is no difficulty in coming to the conclusion that we have the right to legislate with regard to individual cases of disease, so far as cattle are concerned, whether they be found in the herd of the farmer, in the stock yards, or wherever the case may be. The ninety-fifth Section of the British North America Act might be considered as covering this case, as it relates to agriculture, and agriculture is specially within the control of Parliament. It is also relegated to the provincial legislatures, but that legislation is rather concurrent, than anything else, with the legislation that may take place here, and provision is made in that Act that

"In each province the Legislature may make laws in relation to agriculture in the province, and to immigration into the province, and it is hereby declared that the Parliament of Canada may, from time to time, make laws in relation to agriculture in all, or any, of the provinces, and to immigration into all, or any, of the provinces; and any law of the legislature of a province relative to agriculture or immigration, shall have effect in and for the province as long and as far only as it is not repugnant to any Act of the Parliament of Canada."

If this is not a matter connected with trade, it is surely a matter connected with agriculture, and there is no one interest in which farmers are so intimately concerned as their live stock, and the necessity of keeping their cattle free from disease, so that I think the contention of the hon. gentleman from Amherst is not well grounded.

Hon. Mr. DICKEY—My hon. friend has certainly done me no more than justice, when he says the objection I took was wholly from a public point of view. The hon. gentleman will also recollect that in my remarks on a previous occasion, I expressly stated that the part of the Bill which applied to trade—that of the importation of cattle—and quarantine, was clearly in the competence of this Parliament. But my objection was to the earlier sections of the Bill. The argument of my hon. friend from Richmond was this: that the question of public health was clearly within the province of the local legislatures, but that the question of the health of animals was not, and belonged to this Legislature. Perhaps my hon. friend will, in the absence of a particular enumeration of subjects, be kind enough to tell us why it is that the question of public health—and he is right in that—should be relegated to the provincial legislatures, and why the question of the health of animals belongs to this Parliament? Is it because the public health is of less importance in this country than the question of disease of animals? I should like to know if the question of small-pox and other diseases which flesh is heir to, is not of more importance than the question of disease of the lower animals? It is with great reluctance I disagree with my hon. friend on the constitutional point, but it is not the first time I have been obliged to differ from him on such questions. The clause which relegates public health to the provincial legislatures is the 16th sub-section of clause 92 of the British North America Act, that is to say, "generally all matters of a merely local or private nature in the provinces." If there is anything more clearly local in its character than another, it is the question of the health of animals, and the mode of taking care of them. Now, the first clause of this Bill provides:—

"It shall be the duty of every cattle or farm stock-owner, and of every breeder of, or dealer in, cattle or other animals, or of any one bringing foreign animals into Canada, on perceiving the appearance of infectious or contagious diseases among the cattle or other animals owned by him or under his special care, to give immediate notice thereof to the Minister of Agriculture, at Ottawa, of the fact or facts discovered by him as aforesaid."

Here is a direction as to the management of a man's private affairs on his farm. But the Bill does not stop there, because, in the concluding part of the section, it makes that neglect a very high penalty:

"Negligence to comply with the present enactment shall entail upon the owner of the said diseased animals the penalty of not being entitled to, nor granted any compensations for, cattle or animals slaughtered in accordance with the provisions of this Act. Malicious or fraudulent concealment of the existence of disease among cattle or other animals shall subject the person so acting, on conviction thereof, to forfeit, and pay a sum not exceeding two hundred dollars."

This is a penalty that applies not only to persons importing cattle, but to any unfortunate man who happens to have animals afflicted with infectious diseases on his farm. Then the second clause provides:

"If any person turn out, keep or graze any animal, knowing such animal to be infected with, or laboring under, any infectious or contagious disorder, or having been exposed to infection or contagion, in or upon any forest, wood, moor, beach, marsh, common, waste-land, open field, roadside or other undivided or unenclosed land, such person shall, on conviction thereof, forfeit and pay a sum not exceeding two hundred dollars."

Now this is a clause that will apply to every farmer in the country—not dealers or traders in cattle who import them or send them by rail from one part of the country to another for sale, but any man who has a farm and keeps stock upon it. Is this a matter that this Parliament can have cognizance of? Then again the 4th clause provides:

"Any person throwing or placing, or causing or suffering to be thrown or placed into, or in, any river, stream, canal, navigable or other water, or into or in the sea, within ten miles of the shore, the carcase of an animal which has died of disease or been slaughtered as diseased, or suspected of disease, shall, on conviction thereof, forfeit and pay a sum not exceeding two hundred dollars."

Hon. Mr. REESOR—That is quite right. No one should be allowed to contaminate a stream.

Hon. Mr. DICKEY—It is perfectly right, but the question before us is as to the power of this House to deal with a question of this kind, and whether it should not be dealt with by the local legislatures, as I am prepared to show it has been dealt with in Nova Scotia. The eighth section of the Bill provides that the first seven sections shall have their force and effect at all times, even in the absence of orders in council, so that this Act takes effect at once, and imposes very heavy penalties on persons innocently contravening its provisions. The ninth section deals with the importation or the introduction of diseased animals into the country. There I admit the Government have a perfect right, and they ought to have that right, because it is connected with the trade and commerce of the country. That being the case, I am prepared to show that all these classes of subjects—not only the subjects connected with the public health of individuals, but the health of animals, and diseased animals—have been dealt with by the legislatures of the different provinces. I have before me the laws of Nova Scotia, chapter 29, last edition of the Revised Statutes, which deals with the question of public health in all its forms. It deals first with the question of boards of health and infectious diseases. Chapter 30 deals with nuisances connected with the depositing of carcases of animals that died from infectious diseases, into rivers or streams, or leaving them exposed. Chapter 31 deals with the question of rabid animals. In chapter 69 it is enacted as follows: "The sessions shall make regulations for preventing the going at large of infected horses or cattle, and the spread of diseases among them," which is the object of this Bill. There express power has been assumed by the local legislature of Nova Scotia on this very point.

Hon. Mr. AIKINS—Hear, hear.

Hon. Mr. DICKEY—"Or going at large," not merely the pasturing of animals, for I suppose it hardly ever entered into the imagination of any person before to fine a man for sending his cattle to pasture, although they were diseased. But it deals with the whole question in an elaborate form, and, therefore, it is pefectly clear that if these Acts are not *ultra vires*, then most certainly the Bill before the House is *ultra vires*.

Hon. Mr. AIKINS—It may or may not be.

Hon. Mr. DICKEY—We shall have two authorities running counter to each other, and get into endless confusion. I should like my hon. friend to show me the authority for saying that under the British north America Act Parliament has power to deal with this question? In this Bill there is a singular provision, which, perhaps, may have escaped the attention of the House. I refer to section 29, which shows the determination to override the whole legislation of the provinces:

"An order of the Governor-in-Council relating to an infected place shall supersede any order of a local authority inconsistent with it."

It exercises an arbitrary power over the whole country, and not content with that, over the local legislatures as well.

Hon. Mr. AIKINS—That has been the law for the last ten years—it is not changed at all.

Hon. Mr. DICKEY—That is no answer. A great many things slip into the Statutes notwithstanding the close supervision of the House, that ought not to be there. But here is a Bill which gives most sweeping powers to the Governor in Council to override the legislation of the different provinces in matters, as I contend, exclusively within their control. I shall content myself with stating the objection, and my hon. friend can take his own course with regard to the Bill; but if any question should arise hereafter as to the effect of these regulations—whether they come within the province of this Parliament—my hon. friend will have to accept the responsibility.

Hon. Mr. MILLER—I differ from my hon. friend in this matter. I expressed the opinion when the Bill was presented to the House a few days ago, that the clauses of the Bill objected to by my hon. friend were within the competency of this Parliament, and on reflection I see no reason for changing that opinion. With regard to the general question, and the conflicting authority of the local and Dominion legislatures in relation thereto, we have, to a large extent to deal with that subject by inference. In the British North America Act, quarantine and the establishment and maintenance of marine hospitals are given to this Parliament exclusively under article 11 of section 91, and it is to be presumed that everything regarding the public health, outside of this, as a local subject, has been given to the provincial legislatures. Not only that, but from the language of the 7th sub-section of the following clause, defining the exclusive powers of provincial legislatures, it is evident that such subjects should go to these legislatures.

The section reads :

"The establishment, maintenance and management of hospitals, asylums, charities and eleemosynary institutions in and for the province, other than marine hospitals."

The view I take of this Bill is, that it is not a question pertaining to public health, as we generally view and receive that subject. We are not, in speaking of the public health, supposed to include the health of the lower order of animals, but simply the health of the human family, and, therefore, in using these words it is necessary to keep in mind the application which the legislature intended they should have. Now, I think this question is one altogether pertinent to trade, and as a subject of trade, and as an incident of trade, it must be, of necessity, within the control and jurisdiction of this Parliament. It is a question on which, in some respect, the local legislatures may have concurrent jurisdiction when a public nuisance, injurious to health, grows out of it, but it is quite competent for this Parliament to see that infected cattle should not be brought to market or sold, and it is, at the same time, competent for the local legislatures to provide that the infected carcases of cattle should not be improperly exposed or improperly disposed of. In the latter view, the subject may come within the jurisdiction of provincial legislatures as incident to health. I would call the attention of my hon. friend to the fact that that Act of the Nova Scotia Legislature was passed before Confederation, when the Local Legislature had full control over the whole subject. I do not question the authority of the Local Legislature—so far as their jurisdiction extends—in preventing the spread of infectious diseases from nuisances caused by such subjects as have been enumerated in the clauses which my hon. friend read from the Nova Scotia Statutes, but beyond that I do not think it is competent for them to deal with this question. I consider the third clause of this Bill is a clause strictly regulating trade with regard to cattle. I find it impossible to use any language which can render it more strictly a subject of trade and commerce, than the language of the Statute itself :

"Any person bringing, or attempting to bring, into any market, fair or other place, any animal known by him to be infected with, or laboring under, any infectious or contagious disorder, shall, upon conviction thereof, forfeit and pay for every such offence a sum not exceeding two hundred dollars."

I cannot imagine any subject more properly one of legislation for this Parliament, under the jurisdiction of the British North America Act, than that very subject. Again, with regard to the fifth clause the very same thing applies. This legislature has complete jurisdiction over criminal affairs, and a breach of this law is made a penal offence.

Hon. Mr. DICKEY—Is this Bill drawn from the English Act?

Hon. Mr. AIKINS—A portion of it is.

Hon. Mr. DICKEY—I fancy that must have caused the difficulty, for there they have unlimited power.

Hon. Mr. READ—This measure is one that involves one of the largest interests in the country, an interest of such importance that everything that can be done to prevent the spread of infectious diseases

amongst cattle deserves the attention of the Government and of Parliament. I was lead a few days ago to refer to the census of 1871, and I found that the value of the cattle of this country, exclusive of those of British Columbia, Manitoba and the Nor'West Territories, at a reasonable calculation, amounted to $80,000,000 at that time.

Hon. Mr. CHRISTIE—More than that.

Hon. Mr. READ—I generally make my calculations under the mark. At all events, the census shows that there were 2,687,274 head of cattle in the country in 1871, which, at a reasonable value, would amount to $80,000,000. When we see that in England whole herds have been swept away by contagious diseases, the importance of this measure will be recognized. In 1878 the exports of dairy products alone amounted to $7,122,949, exclusive of the consumption by the four millions of people at home. The export of butter amounted to $3,224,981, and of cheese to $3,897,968. The cheese imports in 1866 amounted to $262,247, From Great Britain $13,164, United States $217,850, France $1,008. We have recently commenced to export live stock to Great Britain, and it has grown into a flourishing trade. In 1877 the export of live stock was $667,000; the succeeding year the export was much larger, and the present year will show another rapid increase. I am sure the Government are deserving the thanks of the country for their efforts to protect this important interest.

Hon. Dr. BROUSE—It strikes me that the Government have taken a step in the right direction; but this question, in my mind, leads up to a higher one than the contagious diseases of cattle. This question is one in which the whole country is deeply interested, not as a province, but as a Dominion. If we look at the history of this disease, we will find that it includes, to some extent, diseases amongst human beings in various localities. I know that it has existed for many years in the large cities of the United States. Take the City of New York, for instance, where cattle are denned up in close stables, in an impure atmosphere, and fed on refuse from distilleries. I am bold enough to assert that a large proportion of these cattle have been diseased for years, with the same disease that is referred to in this Bill. When these cows are diseased, they are still fed and milked, and the milk is sold and used by the public without their knowing its unwholesome character. Cows in this condition are retained as long as they will yield milk, or until the disease becomes so far advanced that they have to be turned out to die, or are slaughtered for their hides, or given to the poor. I have heard of many cases of typhoid fever as the result of using milk from diseased cows, in our own country. Cities are not so crowded in the Dominion as New York, but, during the last year, 170 different samples of milk were analyzed in this country, and more than one-half of them were found to be either diseased or adulterated. Now, this milk is largely used in families from childhood up, and yet is it to be said that we shall take no steps in order to check this disease or keep it out of the country. I think it is the duty of the Government to look carefully into the matter. If we have in this Parliament any power to legislate with regard to public health, it is our duty to initiate all those measures that will tend to improve the sanitary condition of the people. No doubt, the live stock interest is a very important one in this country, and no question can come before this House that is of more importance than the prevention of contagious diseases, as it leads up to the higher question of public health. I am very much pleased to see that the Government have taken it in hand, and I trust that they will take into consideration the more important question of the health of the people.

Hon. Mr. CHRISTIE—I think, in passing the measure now under consideration, the Government deserve the thanks of the country. It is, as the hon. Senator from Prescott has well remarked, one of the first duties of the General Government to look to everything which conduces to the public health of the country. Now this, (I say it with due deference to the opinions of my hon. friend from Amherst), is an incident of the power to deal with the public health.

Hon. Mr. DICKEY—It has been admitted that that is not within the jurisdiction of this Parliament.

Hon. Mr. CHRISTIE—I refer now to the sale of diseased meat. It is a well known fact that diseases in animals are communicated to human beings, by partaking of diseased beef, as well as of diseased milk. I know that during the prevalence of a certain disease among cattle, (called Texas fever), in 1868, the medical authorities of the city of New York, and of the State of New York, gave it as their opinion, founded on close observation, that the result of partaking of diseased meat led to great mortality from incurable diarrhœa that prevailed through the months of July and August of that year. I do not know enough of the constitution of the United States to be able to say whether the Federal Government and the Federal Legislature have power to pass a general law on this subject.

Hon. Mr. AIKINS—They have assumed that power, notwithstanding the sovereignty of the States.

Hon. Mr. CHRISTIE—My impression is that they have that power, but, as my hon. friend says, they are assuming that power, and I see under present circumstances the absolute necessity for the existence of that power in the Federal Government of the United States. In the lower part of the State of New York, on Long Island, pleuro-pneumonia is said to exist in the contagious form. That is also the case in the District of Columbia, Maryland, Pennsylvania and Delaware, and it is reported that only the other day the authorities of the State of New York had forbidden the introduction of cattle from the State of New Jersey, and in the city of New York the authorities forbade the introduction of a cargo of cattle brought from the Channel Islands some two months ago. They were not allowed to land, but were placed in quarantine for sixty days. Fortunately it turned out that none of the cattle were diseased. But these instances of State authorities alone interfering in the matter show that, of themselves, they are not competent, and they have not the jurisdiction to enable them to stamp out this disease beyond the limits of their own State. Hence it is essential that the General Government should assume, as the Hon. Secretary of State has said, the power to deal with the question on their own authority. Although we could not the other day obtain a meeting of the Breeders' Association in Ottawa, yet a memorial has been drawn up to the Governments of Canada and the United States asking for the appointment of an International Veterinary Commission, in order to inquire into this whole matter, and advise means to stamp out this disease and to prevent its spread. The Government of Canada, I have reason to believe, is quite anxious to deal with these matters, but my great anxiety in connection with this Bill, is to see that it is sufficiently comprehensive in its terms to enable the Government to make arrangements of that character with the Government of the United States, as well as to take to themselves the power, if that power does not exist, to deal with this matter. It has been well observed by the hon. gentleman from the Quinte Division, that this is one of the great interests of the country, and it is especially important that we should preserve the reputation which we now have in England for freedom from disease in the live stock of this country. The meat trade that has recently sprung up between this and the mother country is enlarging in its dimensions every day, and it should be fostered in every possible way. The hon. gentleman from Quinte did not take into account in his estimate the value of the thorough-bred stock in this country, such as my hon. friend from Compton (Mr. Cochrane) and other celebrated stock breeders possess. I may state as a fact that two years ago it was computed from very reliable data that the live stock interest in the United States and Canada embraced not less than $2,500,000,000, so that we cannot be too careful to guard that interest, and I think the Government deserve great credit for amplifying the powers which they possessed under the old statute.

Hon. Mr. CORNWALL—I do not think it is necessary for me to refer to the power of the Federal Parliament to deal with this question, because the objections raised on that point were very conclusively answered by the hon. gentleman from Richmond, nor do I think it necessary to say much with regard to the

importance of the question now before the House, which has been so opportunely taken up by the Government. But I wish to ask the hon. Secretary of State whether he took any notice of the remark that I made the other day, as to the fact that this Bill was not in any way applicable to the province from which I come?

Hon. Mr. AIKINS—I did; but I thought that would come up, perhaps, at another stage of the Bill.

Hon. Mr. CORNWALL—The reason why I mentioned the subject is that cattle keeping in British Columbia is carried on under entirely different conditions from those which obtain in any other part of the Dominion; and while I acknowledge that this Bill is of evident advantage to stock raisers in the other provinces, its provisions could not be carried out in British Columbia. There cattle are raised in great numbers, and roam at will over large tracts of country. Their respective owners but seldom see them at all, and it is only on special occasions when the owner requires to collect a band of his cattle together for market, or for trading and marking the young stock, that he takes the trouble to look after them. They roam over the country and mix with the herds of other owners, and it is impossible for a man to know whether his cattle are exposed to infectious diseases; consequently I think it would be very unfair that he should be subject to the provisions of the third clause. British Columbia is such a great distance from Ottawa that it would take six weeks before the Minister of Agriculture can be communicated with, and before an answer can be received from Ottawa. Yet from the moment a person finds out that he has a case of infectious disease in his herd, or has reason to fear that his cattle have been exposed to infection, he will be subject to all the penalties that are provided in this Bill. As its provisions are not applicable to British Columbia, I hope the hon. gentleman will take notice of my objection, and enable me to introduce a short clause that the Act shall not for the present apply to the Province of British Columbia.

Hon. Mr. AIKINS—It is certainly very gratifying to the Government to find the manner in which this Bill has been received, and although some of its provisions are very stringent—perhaps severe—still the sense of the House is that they are not too severe, taking into account the immense interests involved. The question of the hon. gentleman from Amherst has been taken very clearly; at the same time I think the arguments he has advanced have been more than met by the hon. gentleman from Richmond. It is impossible to stamp out disease of this kind by local legislation, and I have no doubt at all that it it was the intention of the framers of the British North America Act to bring this special legislation under the control of this Parliament.

Hon. Mr. POWER—I am disposed to view the constitutional question in the same light as the hon. gentleman from Amherst; I think that the matters that are dealt with in the first seven sections of the Bill are subjects for local legislation. I look upon the sixth section as being purely local in its character.

> 6. Any person who, without lawful authority or excuse digs up, or causes or allows to be dug up, a carcass buried, of an animal having died or being suspected of having died from infectious or cantagious disease, shall, on conviction thereof, forfeit and pay a sum not exceeding one hundred dollars.

I do not see how anything could possibly be more of a local character than that. I concur in the main with the hon. gentleman from Amherst; and I think that the Senator from Richmond was not altogether correct in his opinion as to the time when the Nova Scotia enactment referred to was made. The Act of the Local Legislature was passed either in 1872 or 1873; and I may mention, for the information of the hon. gentlemen who represent the Government here, if they have forgotten the fact, that at that time there was a great deal of correspondence or consultation between the Local and Federal governments with reference to the power of the Nova Scotia Legislature to deal with this question of infectious diseases, and that this Act was the result of the agreement or understanding arrived at as to the jurisdiction of the two legislatures. I would, therefore, respectfully suggest that before the Bill goes into Committee, the Government should make some inquiry into the matter. There is one section of

the British North America Act to which attention has not been called. On reading the 95th sec. (agricultural and immigration) I feel rather disposed to think that perhaps my first impression with reference to the constitutionality of this Bill may have been a mistaken one. It seems to me that if the Parliament of Canada has any right whatever to enact the sections of this Bill to which the hon. Senator from Amherst has objected, its right would be under that section.

The motion was agreed to, and the Bill was read the second time and referred to committee.

THE MERCER REFORMATORY BILL.

IN COMMITTEE.

Pursuant to the order of the day, the House went into Committee of the Whole on :

Bill (76) "An Act respecting the Andrew Mercer Ontario Reformatory for females."

Hon. Mr. ALLAN reported the Bill without any amendment.

The report was received and concurred in.

RECEIVER GENERAL'S AND PUBLIC WORKS OFFICERS' BILL.

IN COMMITTEE.

Pursuant to the order of the day, the House went into Committee of the Whole on Bill (66) "An Act respecting the offices of Receiver-General and Public Works."

In the committee.

Hon. Mr. CAMPBELL said by the present law the Receiver-General was a member of the Treasury Board, and as his office was to be abolished, on consultation with his colleagues, the Government considered that in the interests of the public service the Minister of Justice should hereafter be a member of the Treasury Board, in the room and stead of the Receiver-General. He moved that a clause to that effect be added to the Bill as a 14th clause.

The motion was agreed to.

Hon. Mr. MONTGOMERY, from the committee, reported the Bill as amended.

The report was received and concurred in.

ORDNANCE LANDS BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (M) "An Act respecting certain Ordnance and Admiralty lands in the Provinces of New Brunswick and Nova Scotia."

He said : This is a Bill to re-vest, as it is called, at all events to declare, that the title of certain lands is in Her Majesty, and enable them to be classified, so that those of them which are necessary for the purposes of the defence of the country may be retained, and those that are not necessary may be disposed of.

Hon. Mr. ALMON called attention to the fact that certain Ordnance Lands in Nova Scotia and New Brunswick had not been included in the schedule.

Hon. Mr. WARK stated that since those lands had been transferred by the Imperial Government to the Dominion Government, certain portions of them had been disposed of and improved, and it was desirable that the Receiver General should enquire into the claims of the parties in possession.

Hon. Mr. CAMPBELL said he would enquire into the matter.

Hon. Mr. MILLER explained that the reason why certain Ordnance Lands had not been included in the schedule of this Bill was, it was founded on an agreement between the Canadian and the Imperial Governments as to which land should become the property of Canada, and so far as that agreement was concerned, no lands belonging to the Imperial Government could be included in the Bill.

The motion was agreed to, and the Bill was read the second time.

MONTREAL AND NORTH-WEST RAILWAY COMPANY'S BILL.

AMENDMENTS CONCURRED IN.

The House, according to order, proceeded to the consideration of the amendments proposed by the Committee on Railways, Telegraphs and Harbors, to the Bill (56) "An Act to incorporate the Atlantic and North-West Railway Company."

The amendments were concurred in.

The House adjourned at 6 p. m.

THE SENATE.

Monday, April 28th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (O) "An Act to authorize and facilitate the liquidation of the affairs of Building Societies in the Province of Quebec." (Hon. Mr. Trudel.)

The Bill was read the first time.

THE PACIFIC RAILWAY POLICY.

INQUIRY.

Hon. Dr. CARRALL inquired:—When the Government will announce their policy on the Canada Pacific Railway? He said: Hon. gentlemen, I daresay that most of you have seen the telegrams from British Columbia which are public property, and, therefore, I do not ask for any private information in regard to the increased irritation in that province with respect to the delay in commencing the construction of the Pacific Railway at the Pacific coast. I had reason to believe and confidence in the expectation that the present Administration—a government which wishes to build this railroad not merely for colonization purposes but also as a portage between Europe and Asia—would have considered their railway policy of paramount importance. I am not going to rebuke them for their delay in announcing their policy. I know their strength, and I observe becoming reticence. I never expected the railroad to be commenced and completed in ten years, or that it was to be a strictly British Columbian affair. I have always looked upon it as a national highway; but it was provided in the Act of Union that the work of construction was to be commenced at both ends of the line simultaneously, and I do not wonder that the British Columbians have become restive under this continual disappointment. I suppose there is sufficient strength in the British lion to squelch out any overt act that might interfere with the dignity of the flag, but still, our constituents are so dissatisfied that they really feel like hauling down the Union Jack. I desire therefore to urge upon the leader of the Government to bring down with the shortest possible delay, their policy in respect to the commencement of construction on the railway in the province from which I come. If I am correctly informed it will have a tendency to quiet that irritation which is endangering our political existence.

Hon. Mr. CAMPBELL—In answer to the question of my hon. friend, I beg to say that the Government were in hopes to have been able to announce to-day what their policy would be with respect to the Pacific Railway for British Columbia. We have not been able to arrive at such a conclusion as to enable us to announce it to-day, but I think that we can in a day or two.

Hon. Dr. CARRALL—Hear, hear!

THE LICENSED ENGINEERS OF MONTREAL.

MOTION.

Hon. Mr. BUREAU moved:

"That the petition of Joseph Martineau and others, licensed engineers of the city of Montreal, be printed for the use of members."

Hon. Mr. CAMPBELL suggested that the proper course for the hon. gentleman to pursue was to apply to the Printing Committee, of which he was a member, to have it printed.

After a brief discussion, the motion was allowed to stand.

THE PUBLICATION OF THE SENATE DEBATES.

A QUESTION OF PRIVILEGE.

The orders of the day being called,

Hon. Mr. ALEXANDER rose and said:—As a member of the Debate Reporting Committee I rise to make an explanation, and, with the kind permission of the House, to ask the chairman of that committee to call a meeting at an early moment; and I desire to explain to the House why I make this request upon the floor of the House.

Hon. Mr. CAMPBELL—I think that this is hardly a matter of privilege. If the hon. gentleman has any grievance, it would be a matter of privilege, certainly, to make an explanation; but he wishes to take the time of the House to ask the Chairman of the Debates Committee to call a meeting. I am quite sure that he can accomplish this without discussing it in the House.

Hon. Mr. ALEXANDER—The remarks which I am about to make are on a subject affecting the public interests, especially the utility of the Senate, as a co-ordinate branch of the Legislature, and there cannot be a doubt as to my right and privilege to make such explanations, as I propose doing. I hope that my hon. friend will not try to choke off such an explanation.

Hon. Mr. CAMPBELL—No, by no means. What is the explanation?

Hon. Mr. ALEXANDER—I wish to make an explanation on a question involving the influence and power of the Senate, and I hope that the leader of the House will not prevent me making a statement which the people of this country would say I have a perfect right to make.

Hon. Mr. CAMPBELL—I rise to a question of order. It is not what the people of this country may think of my hon. friend's remarks, but whether he is in order or not, that we have to consider. If he has a personal explanation to make, the House will listen to it; if he has not, our patience should not be taxed in this way.

Hon. Mr. MACDONALD—I think that an explanation of this kind should be made with closed doors.

Hon. Mr. ALEXANDER — Closed doors! The hon. gentleman wants to prevent the discussion on a great evil going to the country! What I am going to refer to is an evil of such a character as affects the power, influence, and standing of the Senate in the country.

Hon. Mr. CAMPBELL—The hon. gentleman, instead of making an explanation which is evidently not personal, had better give notice of motion that he will on a certain day either move to add a name to the Debates Committee, or strike off a name.

Hon. Mr. ALEXANDER—Under those circumstances, I beg to move the adjournment of the House. I want to know if the leader of the House will say that I have not now the right to make my explanation?

Hon. Mr. CAMPBELL—If my hon. friend moves the adjournment of the House, he is at liberty to make his explanation, but I question the good taste of it.

Hon. Mr. ALEXANDER.—I will read an extract from the Hansard of the British House of Commons, to show the practice which prevails there.

(Here the hon. gentleman read an extract from *Hansard's* Parliamentary Debates in support of his view.)

Is the hon. gentleman satisfied?

Hon. Mr. CAMPBELL—It is right then that the galleries should be cleared.

Hon. Mr. MACDONALD—I see a stranger in the gallery.

The motion to clear the House of strangers was then put and declared lost on a division.

Hon. Mr. DICKEY—The motion can be renewed at any time if the House should deem it prudent to do so.

Hon. Mr. ALEXANDER—There is no member of this House who has received a more indul gent hearing at all times than I have ever since I have occupied a seat in this House. I believe it is because they have felt that whatever error of judgment I have shown, I have been actuated by a simple desire to raise this branch of the legislature to that position which, in my opinion, it should hold in this country. I have felt for some time, that it would be necessary for me, in the discharge of my duty, to ask your honors to permit me to resign my position as a member of the Debates Reporting Committee. I have felt that a most grave duty devolved upon us as members of that Committee. We are spending four thousand dollars to obtain an official report of the Debates of the Senate. It is very true we obtain that report, and it is bound in a book, which is afterwards transmitted to the members of both Houses of the Legislature. But what I have felt is that such have been the arrangements made by the chairman of this committee, and to which he tenaciously clings, that the great body of the people see nothing of what transpires within this Chamber. Firstly, the arrangement with the *Free Press* of Ottawa is a monstrous fraud, and a monstrous folly. The chairman, it is very true, carries out the instructions of the Committee in having our debates placed in that journal, but not in the issue which can be bought by the people. After the regular issue of that paper to the public, five or six columns are removed, in order to make room for our debates, and two copies of this sheet are sent to each of our own members. You all remember the difficulty which we had in persuading the chairman to agree to send one copy to each member of Her Majesty's Commons; and beyond that no citizen of the country has an opportunity of purchasing a copy of the debates. The judges of the land, merchants, mechanics, rich and poor, have come to me to know why they cannot purchase a copy of our debates. I do not wish to make any charge against the hon. gentleman, but we have labored to have this evil remedied, and with all the efforts we have put forth, we have utterly failed to accomplish the object. There is some secret power somewhere, ever ready to checkmate us. We have always the solemn assurances of the chairman that he is doing his best to carry out this object, and still no progress is being made. Now, it is a very painful duty to make charges against public men, and I make none now, but I would not be discharging my duty, if I did not say, that so long as the hon. Senator for Saugeen is chairman of that committee justice will not be done to the Senate of the country.

Hon. Mr. HAVILAND—I rise to a point of order. I contend that this is not a personal explanation. As I understand it, if a member is charged with having done something that is not right, he is at liberty to make a personal explanation, but it is not a personal explanation to rise and make a charge against a member of the House of dereliction of duty. I rise to say that it cannot be done.

Hon. Mr. MILLER—My hon. friend forgets altogether the position of the question before the House. The hon. Senator from Woodstock is not making a personal explanation under the indulgence of the House, but is making a speech under a motion to adjourn the House. While I do not agree with his last remark, and while I have entire confidence in my hon. friend who is Chairman of the Debates Committee, still I do not like to see an attempt made to put down an hon. member of this House.

Hon. Mr. DICKEY—It appears to me that it has nothing to do with the question whether this is a regular motion or not. That is not the point. We assume that the motion is perfectly in order, and that my hon friend has a right to debate it, but we say that he cannot make a personal speech.

Hon. Mr. CAMPBELL—It is clearly out of order. The hon. gentleman has no right to make such a remark to an hon. member of this House.

Hon. Mr. ALEXANDER—Perhaps when I explain—

Hon. Mr. DEVER—Chair! Chair!

The SPEAKER—The 26th rule declares that "all personal, sharp or taxing speeches are forbidden."

Hon. Mr. ALEXANDER—I am not going to make any personal attack, and I

have no desire to make charges against our public men, but there are occasions upon which a strong sense of public duty compels us to adopt that course. We have heard of rumors that a certain gentleman, who, in his own estimation, killed a former administration, and some think that he may kill the present Administration—there are rumors that when he came down here at the opening of Parliament, he did not think that there should be much discussion in the Senate this session : it was better that no utterances should go to the country. This is a strange position for any member of this Chamber to take. Men may possess wealth, but they must remember that the poorest members of this House—and I am one of the poorest—should not be deprived of the honor of doing his best to serve the country ; and the country expects us all, whether rich or poor, to labor in the cause of good government. Now, hon. gentlemen, I only desire, in conclusion, to refer to a matter, and with which, unfortunately, my own name is connected ; and I do so with great reluctance, and it is always unpleasant to bring one's own name into any discussion. The Toronto *Mail* and the Montreal *Gazette* of Saturday, which gave the important debate upon Mr. Read's motion, gave the speeches of all the hon. members, except my own ; and it is proper I should tell the House I have inquired into this matter, and have found that after that speech was correctly reported, and sent to the telegraph office amongst the others, orders came down at five o'clock in the afternoon that all the speeches were to be telegraphed up except Mr. Alexander's. I can bring proof on oath of this. What sort of justice or fair play is this ? I do not charge the hon. gentleman as having inspired that order, whatever my own convictions may be. But it is strange that the Montreal *Gazette*, the proprietor of which is an old and valued personal friend of my own should have omitted the remarks I delivered upon the floor of this House. There is a profound mystery in regard to this matter, and it is one that ought to be cleared up. I can only say that if such an insinuation were expressed by any member of this House with regard to myself I should blush to enter this Chamber again.

Hon. Mr. MACPHERSON—If I felt I was open to the charge which the hon. gentleman says he did not make, but which, in concluding his speech, he intimated that he suspected, I probably would feel somewhat differently about the matter from what I do at this moment. I regret very much that the hon. gentleman should feel in this matter as he evidently does. I do feel really sincere regret about it. From the hon. gentleman's manner, it is evident he entertains a sense of injury, and imagines that I am the cause. I stated in this House before, that this was altogether unfounded on his part. I should like very much more to remove the erroneous and unjust impression the hon. gentleman is under, than to say anything unkind. I have no intention of attacking him, and I fear that I will not succeed in removing the erroneous impression under which he labors. I hope that it is scarcely necessary for me to make the statement to the House that I had nothing whatever to do with the telegraphic communication to the papers, directly or indirectly. The hon. gentleman says he can bring proof upon oath of something—I suppose he means that such a communication was sent by telegraph. I do not know anything about that, but what I do know is this — the hon. gentleman cannot bring proof of any kind to the slightest degree affecting me, because, from the first day of the session until this moment, I have not had one word of communication direct or indirect, oral, written, telegraphic, or any other way whatever, with the proprietors of the *Gazette* upon the subject of our debate. My whole study has been, as was my duty as Chairman of the Debates Committee, to impress upon the reporters the importance of sending as copious summaries of the debates that took place in this House as they could get papers to take. As evidence of the fact that they have done so, they have shown me telegrams from the newspapers telling them to shorten the reports because they would not have space to publish them. I really do not know what more to say to the hon. gentleman. I fear he is in a frame of mind that prevents his being satisfied with ordinary explanations. I can do no more. So far as my duties, as Chairman of the Debates Committee, are concerned, I have had no complaints that have not been attended to—in fact, I have

had scarcely any complaints this session. I believe that the debates have been better reported and published in a more satisfactory manner this session than ever before. We knew at the beginning of the session the manner in which they were to be published. The contract was laid before the Senate and was accepted. No one complains of that contract having been violated. We cannot ask the contractors to do more than they agreed to do. When the hon. gentleman called the attention of the House, and my attention, to the importance of having copies of the *Free Press* containing our debates sent to members of the House of Commons, I at once summoned the Committee to meet, and, as I stated here before, (and the statement was confirmed on that occasion by one member of the Committee; and, I am sure, other members of the Committee can confirm it, too,) when the Committee met there was some hesitation about distributing the extra copies to the members of the House of Commons. I said that I hoped it would be agreed to, because I thought that the omission was an oversight, and that it ought to have been done from the beginning. The hon. gentleman complains of the press; the press is under no contract with us. We have nothing to do with it. So far as either asking the press to publish a speech of mine or not to publish one, I have done nothing of the kind. I do not know that I have ever, in my life, asked a newspaper to publish a speech of mine. I have always thought, with respect to my own speeches, as well as to others, that if there was anything in them of value, the press would discover it and publish them; but I never asked any such favor, and I certainly should be very sorry to ask the press to do what the hon. gentleman insinuates I have done. I have had no communication with the *Gazette* or *Mail*, or any newspaper, on the subject of our summaries, but, on the contrary, as I have stated to the House, I have urged on our reporters, to have as full summaries sent to the leading newspapers as possible. I do not want to say a word that can add to the irritation which the hon. gentleman exhibits, and which I regret very much. On the contrary, I should like to remove it, but I think that the hon. gentleman should see that the very fact of his speeches not being published by the leading papers, is evidence—

Hon. Mr. ALEXANDER—That they are "stilted nonsense," I suppose!

Hon. Mr. MACPHERSON—That they are not so highly regarded as his speeches in former times may have been. I think that my explanation is complete, and I can only add that if the hon. gentleman wants a meeting of the Debates Committee called, I shall be happy to call one.

Hon. Mr. CAMPBELL—I was quite sure that the hon. Senator for Saugeen was willing to call a meeting of the committee at any time, and it seems to me very much to be regretted that my hon. friend from Woodstock did not take the usual course and ask him to do so. The hon. gentleman, (Mr. Alexander), threw out something—I will not say an insinuation—that the newspapers which did not publish his speech were government organs, and therefore, that the government were to blame.

Hon. Mr. ALEXANDER—I did not mean to blame the government. I mentioned it as a strange thing that the organs of the party of which I am an humble member should omit to give my utterances on the floor of this House.

Hon. Mr. CAMPBELL—If the hon. gentleman does not blame the government I have nothing more to say. I am very sorry that the newspapers did not see fit to publish the hon. gentleman's speech.

Hon. Dr. CARRALL—I desire to take this occasion to say that while our debates are reported with perfect accuracy, they are not as widely circulated as they should be, and I think that there should be a rearrangement of the present system of publication. I think the public utterances are culled out and printed according to the value at which they are estimated by the press, which in the main, is a pretty accurate judge of what will be most interesting to their subscribers; but I have come to the conclusion that as mine never appear in any newspaper, they cannot be of much value!

Hon. Mr. MILLER—As a member of the Debates Committee, I desire to say a word or two on this subject. I agree with the leader of the House that it would be well if my hon. friend had pursued a different course, but, having moved the adjournment of the House, he was perfectly in order in making his explanation. I take exception to the opinions that have been expressed, that my hon. friend, (Mr. Alexander), in making a charge against the chairman of the Dabaters Committee, was out of order.

Hon. Mr. CAMPBELL—My hon. friend forgets that the hon. gentleman stated he could not expect justice while the committee was presided over by the hon. Sanator for Saugeen.

Hon. Mr. MILLER—I contend that there was nothing unparliamentary in saying so, and that it would be equally in order for me to say that I could not expect justice from the Receiver General, in his position as a minister of the Crown, if I believed what I asserted. It is done every day, and such remarks do not come under the class of "personal, sharp or taxing speeches" which are forbidden by the rule of the House. It would be a charge against him as a Minister, as, in this case, the charge was brought against my hon. friend for Saugeen as Chairman of the Debates Committee. Supposing that the charge were true, there would be no liberty of speech at all, if the hon. gentleman had no opportunity of making it in this House. But while I admit the perfect right of the hon. gentleman to make such a speech, I do not at all endorse his statement. I feel it nothing more than my duty to say that I have been on the Debates Committee a number of years, and have always found my hon. friend, (Mr. Macpherson), desirous in every possible way—in private consultations and public deliberations—to do everything in his power to give the reports of our debates as wide a circulation as possible. When we came to Ottawa this session, we found that we could not get our debates into any newspaper on better terms than were offered by the *Free Press*, and we were obliged to take that offer. We should have been delighted if we could have got a newspaper which would have given more publicity to our proceedings, and, even with the *Free Press*, we would have been much better satisfied if it would have published our speeches in the regular edition, but it could not be done—at least, I have the assurance of my hon. friend, (Mr. Macpherson), who made every exertion to accomplish that object, that it could not. Therefore, I feel it my duty to bear testimony to the zealous and courteous manner in which he has discharged his duties as Chairman of that Committee, and I am sorry that my hon. friend, (Mr. Alexander), should think otherwise.

Hon. Mr. DICKEY—I do not propose to discuss the question of the point of order raised, especially as my hon. friend, who has made the motion, after the expression of opinion, has submitted to it.

Hon. Mr. ALEXANDER—Submitted to what point of order?

Hon. Mr. DICKEY—If the proceedings of the House were to be conducted in that way, I do not see how business could be carried on. With regard to the hon. Senator for Saugeen, everyone who knows him will consider his disclaimer was quite unnecessary, especialy as my hon. friend who made the motion stated that he made no imputation whatever against the Chairman of the Committee with regard to the suppression of his speech. As to that matter, I must say that a great injustice has been done to the hon. Senator from Woodstock by somebody, but it was not in any way through the Chairman of the Committee or any one connected with it. The Committee have no control over the Associated Press summary except to require that the reporters shall make it, and, in fact, they have exercised no such control. It is not suggested that they should have any control over it, and it is, therefore, a matter between the hon. gentleman, the press and the reporters, with which this House has nothing to do. After my hon. friend delivered himself with a great deal of force and vigor, it was really a matter of fair play that an abstract of his remarks should have been published in the same way that the remarks of my hon. friend for Saugeen and myself appeared, and which had no point at all except as replies to the speech of my hon. friend from Woodstock. So, it seems, that the hon. Senator has something

to complain of, against somobody, but the House cannot deal with the complaint.

Hon. Mr. POWER—I do not propose to discuss the merits of this question, but I may say that I was present at the meeting of the Debates Committee, referred to by the hon. Senator for Saugeen, and there was, as that hon. gentleman has stated, a good deal hesitation on the part of the Committee about providing for the distribution of the reports of our debates to members of the House of Commons. The Chairman urged very strenuously that we should pass such a resolution for that purpose. I think it was chiefly on account of the action of the Chairman that the resolution was adopted by the Committee.

Hon. Mr. PENNY—I think it would be wrong if I did not express my complete concurrence as to what has been said as to the desire of the Chairman of the Committee to carry out the wish of the House, in circulating the reports of our debates. I know upon the occasion when the proposition was made to distribute the reports of our debates in the other House, that the Chairman came to me as soon as he was aware that the hon. Senator from Woodstock had any feeling on the subject, and proposed, before the matter came up in the House at all, that the thing should be done. With regard to the other matter, of course, none of us have anything to do with it here.

Hon. Mr. ALEXANDER, with the consent of the House, withdrew his motion.

BILLS INTRODUCED.

The following Bills from the House of Commons were introduced and read the first time :—

Bill (80) " An Act respecting tonnage dues levies in Canadian ports under Canadian law." (Hon. Mr. Campbell).

Bill (75) " An Act to amend an Act for the more speedy trial, in certain cases, of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec, and the Act respecting summary convictions before Justices of the Peace." (Hon. Mr. Campbell).

Bill (26) " An Act to authorize and confirm an indenture of sale by the Trustees of the Toronto Savings Bank to the Home Savings and Loan Company (Limited)." (Hon. Mr. Smith).

Bill (58) " An Act to amend the Truro and Pictou Railway Transfer Act, 1877." (Hon. Mr. Campbell).

ATLANTIC AND NORTH-WEST RAILWAY COMPANY'S BILL.

THIRD READING.

The order of the day being called,

Third reading Bill (56) An Act to incorporate the Atlantic and North-West Railway Company.

Hon. Mr. VIDAL said before the third reading of the Bill, he desired to move two amendments ; the first was to strike out of the 5th clause the words " shall afterwards continue to be known by the said name." He considered that if the different railways which were being amalgamated under this Bill desired at any time to withdraw from the compact it would be exceedingly inconvenient for them to be obliged to continue a name that they might not wish to adopt. The object of the amendment was to enable these railways to accept as well as to enter into a lease or amalgamation that was desirable. It appeared to him that this amendment was necessary for the completion of the section which gave this company the power to make the arrangement, but did not give to the company the power of accepting such arrangements, or entering into them.

Hon. Mr. MILLER considered that it was undesirable that amendments of this kind should be brought in at this stage of the Bill without notice.

Hon. Mr. DE BOUCHERVILLE said that on Friday last the amendments reported from committee had been concurred in. He was then advised by his friends to move the third reading, but in accordance with a promise he had made to hon. Mr. Ferrier, he had postponed doing so until to-day. That hon. gentleman had told him there was a small

amendment to which the promoters in the House of Commons would probably agree, and which he, (Mr. De Boucherville), would probably accept. On Saturday he had been told by a member of the other House, that the proposed amendments were the same as had been urged in the Railway Committee, but had to be withdrawn. About half-an-hour before the opening of the House, the hon. gentleman from Sarnia had shown him the amendments, and as he could not accept them, he would press for the third reading of the Bill.

Hon. Mr. VIDAL moved his amendments.

Hon. Mr. DE BOUCHERVILLE said the Atlantic and North-West Railway Company asked for power to make arrangements with different small roads, so as to form a through line. The amendments offered were not only that the company should have the right to lease, but that they should leease to any other company. The only company that had any interest to lease was the Grand Trunk, and as the Grand Trunk was a rival road in the interests of the Province of Quebec and of the Dominion, that company should not have the power to lease any one of those roads, and break up the competitian on the south shore of the St. Lawrence.

Hon. Mr. MILLER said the amendments were clearly out of order, as no notice had been given of them.

Hon. Mr. DICKEY said the Bill had been very carefully considered in committee, where amendments, pretty much of the same character as the ones now proposed had been withdrawn, because the promoter would not be responsible for accepting amendments that might defeat the object of the Bill.

Hon. Mr. FERRIER said the proposed clause was only a permissive clause, to place the Grand Trunk Railway Company, or any other road running towards those lines. in the same position as Parliament had already placed the Grand Trunk Railway this session in reference to the Caughnawaga road. Mr. Colby would have agreed to this amendment only for fear of losing the Bill by further delay in the Commons.

The amendments having been ruled out of order, the Bill was read the third time and passed.

PUBLIC LANDS BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (N) "An Act to amend and consolidate the several Acts respecting the Public Lands of the Dominion." He said: The Bill although formidable in size does not make very many serious alterations in the laws respecting the sale and management of Dominion lands. A somewhat novel plan has been followed with respect to it, but I think it will be found very convenient. In printing the Bill a memorandum which was really intended for my own guidance or the guidance of whoever might have the introduction of the measure, has been printed and appended to the Bill, and really gives a great deal of information—all the information that anybody who is charged, as I am, with the introduction of the Bill, requires, and will, no doubt, facilitate the proper consideration of the measure. Hon. gentlemen will find whatever is new in the Bill has the word "new" against it, and whatever portions are to be amended have the word "amended." The general clauses are to make provisions with reference to homesteads, and to provide that the homestead privilege shall not be abused, as it sometimes has been in the past. For instance, a homestead owner had the right to some bush land in the neighborhood of his lot; but it is now desirable to make it law, that the wood land shall be sold to the party having the homestead, giving him the advantage of the sale of wood land without keeping him as a settler on it. In the old Act a number of provisions were passed for the purpose of facilitating the culture of forest trees. This is a matter of great importance with reference to prairie countries, and considerable progress has been made in some of the States of the Union in the cultivation of forest trees on the prairie—a cultivation that has been attended with great benefit to the country, and conveni-

ence to the settlers. The provisions of the original bill were copied from their Acts. Since then they have seen reason to believe that those provisions were not as complete, or full, or satisfactory as they might be, and they have altered them. Their later provisions have gone into operation, and the opinion arrived at is that the changes are very valuable, and are likely to result in a very considerable progress in the cultivation of timber on the prairies. The department has adopted these new changes which the experience of the United States has shown to be desirable? Then there is another set of provisions relating to the professional characters of surveyors. Surveying in old Canada and other provinces of the Dominion was a more common-place affair than land surveying in the western prairies. It was a profession requiring less skill and less education. I do not mean to say that there were not numbers of persons thoroughly well skilled in the profession, who could have passed all the examinations necessitated by this Bill, but the surveying they have been accustomed to is not what is now required in the western prairies, where lines are required to be thoroughly settled once and for ever upon astronomical observations, and where it is necessary occasionally to give such general instructions to a surveyor as "go and put yourself on such a point of longitude or latitude, and lay off a township or several townships." They will require to be men of education and will have to undergo an examination that is a good deal beyond what is now required of land surveyors. It is proposed that these new surveyors shall be called by some other new name—not merely land surveyors. I do not like the name proposed in the Bill—"Dominion Geodetic Surveyors," I should prefer some other and more appropriate name—Topographic Surveyors for instance. Another Bill which may possibly be considered in this House this session, for granting facilities for the settlement of large companies of people on public lands, will, I think, work harmoniously with this measure.

Hon. Mr. DICKEY enquired if this was a substitute for a Bill of the same title which had been pending in another place?

Hon. Mr. CAMPBELL said it was.

The Bill was read the second time.

BILLS OF EXCHANGE AND PROMISSORY NOTES BILL.

IN COMMITTEE.

Pursuant to the order of the day, the House went in Committee of the Whole on Bill (31) "An Act to amend and consolidate the laws respecting duties on Promissory Notes and Bills of Exchange."

Hon. Mr. AIKINS explained that the amendments of which he had given notice at the second reading of the Bill were in the 6th and 10th and 13th clauses.

Hon. Mr. ODELL, from the Committee, reported progress, and asked leave to sit again.

THE PARLIAMENTARY PRINTING.

THE TENTH AND ELEVENTH REPORTS OF THE PRINTING COMMITTEE ADOPTED.

Hon. Mr. SIMPSON moved the adoption of the tenth report of the Joint Committee on Printing.

The motion was agreed to.

Hon. Mr. SIMPSON moved the adoption of the eleventh report of the Joint Committee on Printing. He explained that the Committee had received nine tenders for the printing, six for supplying paper, and four for binding. These tenders had been tabulated, and that of Mackintosh & Co., which was found to be the lowest, was accepted. When the contractors were called upon to furnish security they failed to do so. Three or four others followed suit, and the Committee were obliged to fall back on the present contractors, who deposited the $5,000 security demanded. The tender of these gentlemen, who had performed the work in a very efficient and satisfactory manner, was a very low one—about 16 per cent. less than the contract they had held during the past five years. It was admitted by all the printers that the price was as low as the work could be done for. The tender of the present contractor for

binding was the lowest, and the Committee recommended that it be accepted. It was a reduction of about ten per cent. on last year's prices. A good deal of difficulty was experienced in awarding the contract for supplying paper. The Committee appointed a sub-committee of seven, five of whom were good judges of the quality of paper, and he had never seen greater care taken by any committee than these gentlemen exercised in arriving at a decision. One of the parties who had tendered for the paper thought that justice was not done him, but the decision of the sub-committee had been unanimously ratified by the Printing Committee. The tender of Barber Bros., the one accepted, was fifteen per cent. less than their contract of last year.

Hon. Mr. MACPHERSON—The first fruits of the National Policy!

Hon. Mr. SIMPSON thought it was due to the hard times. Paper for which they had paid $1.15 per ream before would be supplied in future for 97½ cents, and paper which had cost $3.15 per ream would be supplied at $2.52½ now. The saving per annum would not be less than from $10,000 to $12,000—perhaps more. The Committee had been urged and re-urged to economize this year. They effected a reduction of $10,000 on the cost of the service already and he believed that the saving in future would amount to between $15,000 and $20,000 per annum.

Hod. Mr. ALEXANDER was sure that the House would be ready to recognize the value of the services rendered by the hon. Senator from Bowmanville, but he thought that a further saving might be effected by reducing the quantity of printed matter. For instance, no representative of an Ontario constituency required more than one copy of the annual report of the Marine and Fisheries Department. He suggested that a reduction might be made, in such cases, of the number of volumes published.

Hon. Mr. SIMPSON said that there had been a considerable reduction already in this direction, and he did not agree with the hon. gentleman that there were too many copies of the departmental reports published. However, he would lay the hon. gentleman's suggestions before the committee.

Hon. Mr. MACFARLANE said that these blue books had been circulated in very large numbers, and at very considerable expense, but a reduction in the number had been made last year, and there were complaints now that the distribution was too small. The hon. Senator from Woodstock might not feel interested in the Marine and Fisheries Report, but the representatives of the Maritime Provinces could not get enough of them. There were grave doubts whether the reduction had not gone too far. These reports were the only means the country had of knowing what was being done in the departments. In reference to the cost of printing, very important reductions had been effected. All the contractors were good men, and, he was confident, would give satisfaction.

The report was adopted.

ORDNANCE LANDS BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved that the House go into a Committe of the Whole on Bill (M) "An Act respecting certain Ordnance and Admirality Lands in the Provinces of New Brunswick and Nova Scotia."

Hon. Mr. WARK called attention to the fact that there were certain Ordnance Lands at St. John, New Brunswick, which had been transferred recently to the city for railway purposes.

Hon. Mr. CAMPBELL said that this Bill would not interfere with the title to that land.

Hon. Mr. MILLER said that this Bill was founded on an agreement between the Government of Canada and the Imperial Government with regard to Ordnance and Admiralty Lands in Nova Scotia and New Brunswick. That was clearly expressed in the preamble in the following words:

"Whereas it was agreed between Her Majesty's Government and the Government of Canada, that the military and naval lands

mentioned and described in the schedule of this Act should be transferred to Canada, and in pursuance of that agreement the possession and control of the said lands have been transferred to the Government of Canada; and whereas in order to the execution of the said agreement it is necessary that the legal title to the said lands should be re-vested in Her Majesty for the purposes of Canada, etc."

No matter what other Ordnance or Admiralty Lands there might be in those Provinces, this Bill could not affect them, because they were not mentioned in the schedule.

Hon. Mr. WARK said his impression was that this Bill would re-vest these lands again.

Hon. Mr. CAMPBELL said they would be re-vested in the Crown only for the purpose of making the title to them clear.

Hon. Mr. MILLER called attention to the second section of the Bill, which explicitly declared that "nothing in this Act shall affect any right of any party claiming any of the said lands."

The House then went into Committee of the Whole on the Bill.

Hon. Mr. BELLEROSE, from the Committee, reported that they had gone through the Bill, and made one amendment.

The amendment was concurred in, and the Bill was read the third time and passed.

The House adjourned at six o'clock.

THE SENATE.

Tuesday, April 29th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THIRD READINGS.

The following Bills were reported from the Committee on Banking and Commerce, read the third time and passed:

Bill (50) "An Act respecting La Banque Jacques Cartier."

Bill (41) "An Act to incorporate the North American Mutual Life Insurance Company."

LICENSED ENGINEERS IN CANADA.

MOTION FOR A RETURN.

Hon. Mr. BUREAU moved:

"That an humble Address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to transmit to this House:

"1st. The names and residence of all licensed Engineers in the Dominion of Canada; with the class to which each belongs, and the date of his license.

"2nd. The sum each licensed Engineer has paid for his license, as well as the various annual sums paid by him for licenses under the operation of laws or rules in force in Canada, the authority in virtue of which the licensed Engineers have paid these last mentioned sums of money since Confederation.

"3rd. The number of manufacturing and other works, of which steam is the motive power, that are not subjected to the authoritative inspections which the Inspectors forming a Board by the name of the 'Board of Steamboat Inspection,' are called upon to make specifying the localities."

Hon. Mr. CAMPBELL suggested that the third paragraph in the motion should be struck out, as the Government could not furnish any information on that subject.

Hon. Mr. BUREAU said that there were about 1,400 establishments in Montreal where steam power was used, and he desired to learn whether the persons who had charge of those engines were licensed engineers or not. He had presented a petition from the licensed engineers praying that persons engaged in the same line of business as themselves should be subject, as they were, to license. In view of the fact that human life was endangered by allowing men who were not qualified engineers to take charge of engines, the Government should give this question their serious consideration.

The motion was amended by striking out the last paragraph, and agreed to as amended.

SOVEREIGN FIRE ASSURANCE COMPANY'S BILL.

THIRD READING.

Hon. Mr. McMASTER moved the third reading of Bill (18), "An Act to amend the Acts respecting the 'Isolated Risk and Farmers' Fire Insurance Company of Canada,' and to change the name thereof to the 'Sovereign Fire Insurance Company of Canada.'

Hon. Mr. BELLEROSE moved in amendment,

"That this Bill be not now read a third time, but that it be referred back to the Committee of the Whole, to amend the same by adding the following clause:

"This Act shall not have any effect whatsoever until after the question of selling the moveable and immoveable properties of this company to any Canadian company, as further provided for, shall have been submitted to the shareholders by a resolution passed at a special general meeting of such shareholders called for the purpose, which resolution, to have effect, must be concurred in by at least two-thirds of the shareholders of paid up stock, present or represented at such meeting, voting as provided for in this Act of incorporation of this company."

He said that these words were necessary to introduce the amendment of which he had given notice.

Hon. Mr. DICKEY said that this question had already been decided upon, as hon. gentlemen would find by reference to the proceedings of April 23rd, and it was unfair and irregular to ask the House to vote upon a matter on which it had already passed judgment.

Hon. Mr. BELLEROSE said that all but the introductory words of the amendment were new, but he admitted that it was not on the paper. If the hon. gentleman wished him to stick by the rules he would do so, and he therefore moved the amendment, of which he had given notice, as follows:—

"That the said Bill be not now read a third time but that it be referred to a Committee of the Whole House, to be further amended as follows:—

"It shall be lawful for the said Company to sell, convey and transfer to any Canadian Company, as defined in the second section of The Insurance Act of 1875, 30 Victoria, Chapter 20, and for any such Company to purchase, take and acquire from the said Company for such price and consideration as may be agreed upon between them, all the real and personal property of the said Company, including its loans secured by bonds, or mortgages or otherwise, and the amounts due to it for which judgments have been obtained with its interest in stocks held by it as collateral security for loans, and also the good-will of its business, subject always to liability on the part of the Company so purchasing and acquiring of the same for the risks of the said Company under its policies issued and still outstanding, which the purchasing Company shall take upon itself by way of re-insurance, or for the said Company to sell, convey and transfer, and for any Canadian Company to purchase, acquire, and take so much of such property as may be agreed upon between them as being together with such good-will, a fair and just equivalent for such risks so taken upon itself by the purchasing Company, or the whole of such property as such equivalent.

"No agreement for any such sale or transfer shall be valid or binding upon either of the Companies between which it has been made until after the Finance Minister, with the concurrence of the Treasury Board, has been satisfied that the Company agreeing to purchase, take and acquire such property has ample assets including its original and any additional deposits to meet the liabilities it will thereby incur to the policy-holders of the Isolated Risk and Farmers' Fire Insurance Company of Canada, in addition to its liabilities to its own policy-holders, or will have ample assets, including such deposits for both purposes when it shall have acquired such property, nor until after an order of the Governor in Council to that effect has been passed.

"After the passing of such an Order in Council, and upon proof to the satisfaction of the Minister of Finance and the Treasury Board that the agreement to which it refers has been carried into effect, and that the Company has not accepted any risk, or issued any policy since the date of the said agreement, and has ceased to transact business in Canada, all its securities may, upon its application to that effect, be released to it by another Order of the Governor in Council, and its license shall be withdrawn, and be deemed to be withdrawn by such release.

"It shall be the duty of the Directors of the Company, as soon as they receive any price payable in money of any such sale or transfer, to divide the same, together with all the cash in their hands, or in that of any of the agents, officers or servants of the Company, and all cash deposited in any bank to the credit of the Company, among the shareholders of the Company, in proportion to the number of shares held by each; and the Directors shall proceed, with all convenient speed, to convert into cash all the securities released to the Company as aforesaid, together with any of its property not sold and transferred as aforesaid according to the terms of the agreement, and to divide as aforesaid such cash, as well as any cash which may come into their hands from time to time; and when all the assets of the Company have been converted into cash and so divided, the Directors for the time being shall call final meetings of the shareholders and make a final,

report to them, on the acceptance of which by resolution the said Directors shall be discharged from all future liability and responsibility, and the Company shall be, and shall be deemed to be, dissolved."

Hon. Mr. McMASTER said that it would be in the recollection of hon. gentlemen that when this Bill was in committee an amendment had been moved by the hon. Senator opposite the effect of which, if it were carried, would have been to throw the company into liquidation. That amendment was rejected. Notice of two other amendments was given, but they were subsequently abandoned and now the hon. gentleman brought forward this one. The Bill was simply for the purpose of changing the name of the company to harmonize it with the general business which it was empowered by its charter to engage in, and to allow shareholders to vote on as many proxies as they might hold, at meetings of the company. The effect of the amendment now proposed would be to wind up the company in another way. It would advertise to the country that their affairs were in a bad state, when such was really not the case. He hoped that the House would reject the amendment.

Hon. Mr. VIDAL thought it was extraordinary that an amendment, which had not been asked for by the company, should be moved at this stage of the Bill. If carried, it would have no good effect on the business of the company. It was designed to answer the same purpose as the amendment which had already been rejected by the House. He thought that the simple request of the company should be complied with, and that the House should not exercise its power to introduce an amendment which would change the whole character of the Bill.

Hon. Mr. CAMPBELL thought that the amendment now proposed was not one which it was reasonable to anticipate should come from the hon. gentleman, particularly at this stage of the Bill. The object of the measure was to change the name of the company. Any amendment germane to that (as, for instance, that the company should be called the Queen, or something of that kind), would be regular, but this amendment proposed to wind up the company. It was certainly giving them a stone when they asked for bread. He hoped that the hon. gentleman would see his way to withdrawing the motion.

Hon. Mr. BUREAU regretted that this Bill had been introduced, and he would explain why in such a clear manner that he hoped to be able to convince the House that it should not pass without amendment. In his opinion the legislation in this Parliament relating to this company was a farce, if not something worse. In December, 1872, an Act was passed by the Legislature of Quebec, incorporating "The Cultivators' Insurance Company of Quebec." The object for which it was incorporated was set forth in the first clause of that Act. After reciting the names of the promoters of the Bill, it continued:

"Together with all such persons as now are, or shall hereafter become, members of the said company, are incorporated under the name of 'The Cultivators' Insurance Company of the Province of Quebec,' for the purpose of insuring against fire and accidents caused by lightning, the buildings of cultivators, and all other isolated buildings, the cattle and chattels or moveable effects contained in such isolated buildings or upon the farm."

Now, these were the powers conferred upon that company by the Quebec Legislature, and he called the attention of the House especially to the fact that the charter of that Company gave them no power to amalgamate with any other company, and he was not aware that there was any general Act under which they could do so. He now came to the other company, "The Isolated Risk Fire Insurance Company," which had obtained its charter from the Dominion Parliament in 1871. The powers of that company were set forth in the 9th clause of the Act, as follow:

"9. The said company shall have power and authority to make and effect contracts of insurance with any person or persons, body politic or corporate, against loss or damage by fire on any houses, stores or other buildings whatever, and in like manner on any goods, chattels or personal estate whatsoever, for such time or times, and for such premiums or considerations, and under such modifications and restrictions, and upon such conditions as may be bargained or agreed upon or set forth by and between the company, and the person or persons agreeing with them for such insurance, etc."

Under the name of the Isolated Risk Company, they were empowered, by their

charter, to take all kinds of fire risks, but they were not empowered to amalgamate with any other company. He now came to the Act of 1873, amalgamating these two companies under the name of "The Isolated Risk and and Farmers' Fire Insurance Company." The preamble of that Act was as follows :—

"Whereas the Isolated Risk Fire Insurance Company of Canada have, by their petition represented that they have entered into an agreement with the provisional directors of the Cultivators' Insurance Company of the Province of Quebec, whereby the last named company have agreed to surrender their charter, and combine their interests with those of the first mentioned company, conditionally upon certain amendments being made to the Act of incorporation of the said Isolated Risk Fire Insurance Company, specified in the said agreement, etc."

Hon. Mr. CAMPBELL—All that they agreed to is confirmed by statute.

Hon. Mr. VIDAL—It is embodied in the statute.

Hon. Mr. BUREAU—Yes, but by what authority?

Hon. Mr. CAMPBELL—By authority of Parliament.

Hon. Mr. BUREAU contended that the provisional directors had no power to surrender their charter without going to the Quebec Legislature, from which they had obtained it, to annul the Act. This Parliament could not, by any legislation, change the position of that company towards its stockholders.

Hon. Mr. SCOTT said that the Isolated Risk Company had absorbed the other company by virtue of the Act of 1873, and no attempt had been made since then to repeal that Act.

Hon. Mr. BUREAU said that it was unnecessary to repeal it. The shareholders in the Cultivators' Company would go before the courts and obtain justice. They had subscribed their capital for a certain purpose, and, if an attempt should be made to apply it to any other purpose, they would not sanction it. Was this Parliament prepared to place this legislation on the statute books of the country—an Act which would compel these shareholders to engage in a hazardous business which they had not contemplated when they subscribed for the stock? When the amalgamation took place, did Parliament take any notice of the standing of that company—a company which asked for power to engage in marine insurance when it had only $60,000 paid up. What had been the history of this company? As the House had already been informed, the stock subscribed in Quebec, with few exceptions, was held by people of small means, while the shares subscribed in Ontario were owned by wealthy men, some of whom held from $10,000 to $35,000 in stock. In case of accidents, they could sell that stock to men of straw and evade their liabilities in that way.

Hon. Mr. ALLAN asked if the provisional directors of the Quebec company did not represent the shareholders when they applied for this act of amalgamation?

Hon. Mr. BUREAU—They were appointed provisional directors by the Act of incorporation.

Hon. Mr. ALLAN—But, I suppose their names were suggested by the stockholders.

Hon. Mr. BUREAU said that no stock had been subscribed before the passage of the Act. By the annual report on the Insurance Companies, it would be seen that the whole amount which this Isolated Risk and Farmers' Fire Insurance Company had on hand was only $69,563.

Hon. Mr. McMASTER—They have $100,000 in the hands of the Government.

Hon. Mr. BUREAU said that they had deposited $82,864 in debentures of the city of Toronto, $18,040 in debentures of the city of Hamilton, and $6,000 shares in the Bank of Commerce—in all $106,904—with the Government, but the assets of the company consisted of the ten per cent. paid on the stock, and the office furniture, etc., amounting in all to $69,563. With that small amount on hand, they had taken risks to the amount of $20,543,856, and the policy-holders had, therefore, a guarantee of $33\frac{1}{3}$ cents on each $100.

Hon. Mr. McMASTER—That is a mistake.

Hon. Mr. BUREAU defied the hon. gentleman to point out any inaccuracy in the statement. There were complaints from day to day against the rate of usury, yet here was a company which, with a capital of $69,563, received premiums to the amount of $201,054 annually, or a fraction over 289 per cent. on their investment. Not satisfied with this profit, they were desirous of going into marine insurance as well, if they had been allowed. In view of these facts he hoped the leader of the House would sanction a reference of the Bill to a committee to decide the constitutionality of the legislation relating to these companies and of this Bill, before going further in a matter of such importance. This was a private bill, affecting a number of people, and he asked the House to be careful lest this legislation should prove injurious to their interests.

Hon. Mr. DICKEY said that he would not follow his hon. friend into the question of this company's business, because it was hardly to be expected that the Senate would resolve itself into a court to settle such a question. The hon. gentleman had stated that the matter was to be settled in court, and, therefore, it was idle for the House to discuss it at all. It was only clouding the subject to introduce it here. The hon. gentleman had shown that the Cultivators' Fire Insurance Company had never been organized under their charter. Up to the time of the arrangement with the Isolated Risk Company, which in 1873 was doing an increasing business, they were still represented by the provisional directors only and they jumped at the opportunity to tack their business on that of the Ontario Company. The agreement entered into between these two corporations received the sanction of this Parliament, yet the hon. Senator from De Lorimier, (Mr. Bureau), contended that they had no authority in the original legislation to amalgamate. He would not discuss that point further than to say that if Parliament had power to authorize them to amalgamate in the first instance, it surely had power to ratify such amalgamation. However, that was a matter entirely outside the question before the House. He would merely say, in passing, that if the hon. gentleman's contention were correct, the whole thing was illegal, and no portion of the Cultivators' Insurance Company's property could pass to the Isolated Risk Company. If the hon. gentleman's contention was sound, he would cut the ground from under the feet of the hon. Senator from De Lanaudiere, (Mr. Bellerose) because that hon. gentleman wished to amend the Bill by declaring:

> "It shall be lawful for the said Company to sell, convey and transfer, to any Canadian company, as defined in the second section of The Insurance Act of 1875, 30 Victoria, Chapter 20, and for any such company to purchase, take and acquire from the said Company for such price and consideration as may be agreed upon between them, all the real and personal property of the said Company."

If the whole thing were illegal, then the amendment was unnecessary. But that really was of no consequence after all, for this amendment was substantially a proposition to authorize the winding up of the Company, a question which had already been decided by the House. He had asked the hon. Senator opposite, (Mr. Bellerose), to show a precedent, if he could, where a company asked for a small amendment to its charter, and had its Bill amended by Parliament to authorize the winding up of the company. There was no precedent for it. In this case the company asked Parliament to change its title and to remove a restriction on proxies.

Hon. Mr. BELLEROSE said that the change of name would involve serious consequences to the shareholders. The company was, as its name, indicated, an isolated risk and farmers' insurance company, and its business should be confined to that class of insurance. Under the agreement referred to in the preamble of the Act of 1873 the names of the two companies entered into the title of the amalgamated company, and the object of that was to prevent them taking risks in cities. The argument of the hon. gentleman was that the title of a company was a matter of indifference.

Hon. Mr. DICKEY said that his hon. friend, (Mr. Bellerose), evidently did not object to the proposed change of title,

because his amendment had no reference to that, and the change of name involved no change whatever in the powers for doing business. That was a sufficient answer to his argument, but he would give another. While the title of the Ontario company appeared to imply, on the face of it that its business was confined to insuring isolated property, the Act of incorporation gave it power to do a general business in cities or anywhere else. Two years after that Act was passed, the promoters of the Quebec Company, with a full knowledge of the provisions of this Act, deliberately entered into an agreement to become stockholders in the Isolated Risk Company, and had an Act passed to confirm that agreement. Six years had passed without any objection being raised, and even now the objection was not to anything that this Bill contained, but related to matters outside of it entirely. Why should there be any objection to changing the name of this Company. There was nothing unusual in that, in fact one of a similar character had passed through the Senate this session—a Bill to change the name of the Ottawa Loan Company. That corporation, like this one, desired to extend its business, and found that its title was unsuited to the larger area of its operations, and, therefore, obtained a Bill to change its name to that of the Manitoba and North-West Company. He was surprised that the hon. Senator for DeLanaudiere, (Mr. Bellerose), should endeavor to injure a company in which he was interested. That, of course, was a matter of taste, but, with regard to this Bill, the question lay in a nut shell—the object was to accomplish something to which there was no objection—the mere change of name. He again asked the hon. gentleman, (Mr. Bellerose), to show him a precedent in legislation in which a company applying to Parliament for a simple amendment to its charter, had imposed upon it legislation to authorize the liquidation of its affairs without any application for that purpose from its shareholders?

Hon. Mr. BELLEROSE said the best proof that the Bill should not pass was that the hon. gentleman had not answered his (Mr. Bellerose's) argument that the change of title involved a serious change in the position of the shareholders. All that they asked was to be given an opportunity, before being dragged into a hazardous business, to be allowed to say whether this Company should be wound up. This Bill was not an ordinary measure, to change the title of a company, and the importance of the change in this case seemed to him to be so apparent that he had deemed it unnecessary, when proposing his amendment, to enter into any explanation or argument. Under its present title the company could only insure isolated buildings.

Hon. Mr. SCOTT said that he had buildings in this city, which were not isolated, insured in this company.

Hon. Mr. BELLEROSE contended that if such buildings were insured by this company, and loss should occur through fire, rendering it necessary for the directors to make a call upon the shareholders, the latter could refuse to pay because the company had taken a risk which had not been contemplated in its charter. That would be a point of law.

Hon. Mr. SCOTT—No.

Hon. Mr. BELLEROSE—Does the hon. gentleman say "No?"

Hon. Mr. SCOTT said it would be no point of law between the policy-holders and the Company. So long as the Company had assets, the policy holders would be covered, and it was a perfect matter of indifference to them whether the company was acting within the legal spirit of its charter. It was admitted that the charter of this Company empowered it to do a general insurance business. He knew, as a matter of fact, that the company did do a general business, in Ottawa at all events, and that, so far as the policy-holders were concerned, it could not screen itself in case of loss, on the assumption because its name was "The Isolated Risk," that *ergo* it must only have taken isolated risks.

Hon. Mr. BUREAU—The question is whether the shareholders could be compelled to pay a call made to meet a loss under such circumstances.

Hon. Mr. SCOTT—That is a domestic matter which they must settle among

themselves, and with which the public have nothing to do.

Hon. Mr. BELLEROSE contended that was the whole question, and that the shareholders could not be compelled to pay in such a case, because the Company had no right to take such a risk. This showed the injustice that the change of title would cause. He repeated his protest against this legislation which would compel half of the shareholders to engage in a hazardous business against their will, and which they had not contemplated when they subscribed stock in this Company.

Hon. Mr. WARK asked if any of the stock had been subscribed before this agreement was made, and whether they had responded to any calls since then.

Hon. Mr. BELLEROSE—No payment has been made since the first one of ten per cent.

Hon. Mr. WARK—When was this made?

Hon. Mr. BELLEROSE — At the very beginning. It is only an experiment taking risks in cities. Two years ago, the isolated business being reduced, we were asked to try a general business, but very little work of that kind was done, and it is only now that we are asked to embark in a regular insurance business in cities.

Hon. Mr. SCOTT hoped that his hon. friend, (Mr. Bellerose), would not force a division on these amendments. A very important question had been asked—whether any payments had been made on subscribed stock before the amalgamation of the two Companies—and he, (Mr. Scott), had taken the trouble to get a copy of the original agreement, by which it appeared that the Cultivators' Society had, practically, never gone into existence.

Hon. Mr. BELLEROSE—That is admitted.

Hon. Mr. SCOTT, (continuing)—The agreement contained the following clause:

"Mr. Pagnuelo is more specially requested to obtain from the Isolated Risk Company an acceptation of the foregoing, and the moment it is obtained, to send a circular to all our shareholders and friends, apprising them of the amalgamation, and asking them to subscribe to the stock in "The Isolated," which shall be at our disposal, to accept of the transfer thereof, and to pay ten per cent. on each share to the receiver that shall be appointed by the said Company for that purpose."

In accordance with that arrangement, the stock was subscribed, and the company had been doing business for six years without any protest being entered against it. Now, for the first time, this objection was raised. The Company had found that the title of the Bill prevented them from taking many good risks, because many persons supposed that they did not possess the power to take them, and they simply came to this Parliament to ask that their title be changed and put in a more truthful shape than it was. He was sure that the House would not desire to force an amendment on this company which it did not approve of, and the hon. Senator from De Lanaudiere must have known that if fifty per cent. of the stockholders were opposed to this Bill they could prevent the company from carrying on business successfully, more particularly as under the terms of their agreement the business in the Province of Quebec was exclusively under the management of gentlemen in that Province, and a certain number of the directors should be stockholders in that Province. It seemed to him that they had every possible protection against any contingency in the original agreement. If the company were doing an improper business why did the stockholders allow those risks to be taken? There had been general meetings annually, and no discussion had arisen at those meetings upon this point. If any such objection had been raised, the newspapers would have taken notice of it. It was well known that the company held risks to the extent of over $20,000,000, and it was a very disturbing matter to the policy holders that an attempt should be made to damage the character of the company. The hon. Senator from De Lanaudiere was not a true friend of the company, in bringing up this discussion and endeavoring to represent that it was acting in excess of its powers. It was clear that they had not exceeded their powers, because an Act of Parliament had authorized all that they did. The original companies did not amalgamate, but the

Quebec Company had abandoned its charter, and a certain amount of stock was alloted to them, which they subscribed. Everything seemed to have been done properly, and there was no dissatisfaction until this application was made for a change of title, to enable the company to carry on its business more successfully. The stockholders were men whose positions guaranteed that the business would be properly conducted, and he, as a policy holder, did not feel that he ran any risk in being insured in that Company. It could not be considered in any way to be in a discreditable position so far as the stockholders were concerned, and they certainly were not men who were likely to dispose of their stock to men of straw. The charter would be the same after the amendment passed, and it would be a very grave and serious blow at the credit and standing of this Company if the House were to amend the Bill in the manner proposed, or reject it altogether. In fact the adoption of the amendment meant the rejection of the Bill; it meant that Parliament was not satisfied with the honor and integrity of the Company.

Hon. Mr. BELLEROSE—Oh!

Hon. Mr. SCOTT said practically that was what it meant. If the amendment were adopted it would mean that foul play had been practiced by the directors; that they had carried on the business of the Company contrary to the spirit and expectetions of the shareholders, and had been untrue to their trust. He asked the House to pause before declaring that a company which had twenty millions of dollars of risks in Canada had been conducting its business for six years in a fraudulent manner. He confessed that he had been startled at the vote which had been given the other day, because it seemed to him that if the amendment proposed had then been carried, it would have been attended with very alarming consequences. The Isolated Risk was a home company whose stockholders lived in Canada and there could be no advantage in striking it down.

Hon. Mr. TRUDEL considered that the clauses of the Bill which had been cited by the hon. gentlemen from De Lanaudiere and De Loremier had changed the whole basis of the debate. He did not think that by shutting their eyes to the illegality of the position of the company they would make that position more legal, and if an irregularity existed, now was the time to correct it. The company had been incorporated by the Local Legislature, and a board of provisional directors was formed to organize the company. It happened that it was those provisional directors who had taken upon themselves to consent to the amalgamation with the Isolated Risk Company, and it was upon this basis the amalgamation had taken place. It seemed to him to be a very strong point that was raised by the hon. gentleman. If they came to the conclusion that the provisional directors had no right to consent to the amalgamation, and surrender their charter, then the logical sequence was that the shareholders of the Cultivators' Company had never consented to that amalgamation, and the amalgamated company had no legal basis at all.

Hon. Mr. SCOTT said the original shareholders in the Cultivators' Company had contributed their stock and subscribed to the new subscription.

Hon. Mr. TRUDEL—Did the shareholders renounce their charter?

Hon. Mr. SCOTT—Yes.

Hon. Mr. TRUDEL—Did they subscribe as shareholders of the new company, or as provisional directors of the old company? They certainly had no power to surrender the charter of the company, or change the position of the shareholders. They had as provisional directors only such powers as were mentioned in the charter—a very limited power, to transact only such business as could not wait until after the general meeting for the election of officers and organization of the company. They had no power whatever to bind the shareholders to a surrender of the charter, so that as a matter of fact the stock had been subscribed under the provisional Act of incorporation; had been subscribed under the old charter which still existed, and as the provisional directors had acted illegally, it followed that the amalgama-

tion had no legal existence. He thought that the objection raised by his hon. friend was of the greatest importance, and he did not see how the Bill could be read the third time.

Hon. Mr. VIDAL—Can the hon. gentleman state as a fact that there were any shareholders outside of the provisional directors?

Hon. Mr. TRUDEL could not say so as a matter of fact, but he had understood during this debate that when the amalgamation took place there had been $300,000 subscribed under the old charter, and that the amalgamation had been arranged between the provisional directors of the Cultivators' Company and the Isolated Risk Company without the consent of those shareholders.

Hon. Mr. BELLEROSE said when the amalgamation took place, the Cultivators' Company had very few shareholders, as they were just beginning the organization of the company.

Hon. Mr. VIDAL—My question was this: were there any shareholders outside of the provisional directors?

Hon. Mr. BELLEROSE said he was one of those who had asked for stock, and he would not say but there were some others who had done so. In the minutes of the meeting which the hon. Senator from Ottawa had just read, it was stated that the secretary should write to the shareholders and their friends, so that there must have been some others, but as this had occurred six years ago he would not be positive. He would consent to allow the amendment to be lost on division.

Hon. Mr. McMASTER moved the third reading of the Bill.

Hon. Mr. BELLEROSE moved in amendment:

"That the said Bill be now read a third time, but that it be referred to a Committee of the Whole House, to be further amended as follows:

"Page 2, line 4.—After 'Companies' insert Clause A.

Clause A.

"This Act shall not affect the rights which any individual shareholders may have now before the passing of the present Act, nor shall it have any force or effect whatever until after it has been accepted by the shareholders by a resolution passed at a special general meeting of such shareholders called for the purpose, which resolution to have effect must be concurred in by at least two-thirds of the holders of paid-up stock, present or represented at such meeting, voting as provided for in this or the Act of Incorporation of this company.

He hoped the House would grant this motion for, if, as hon. gentlemen said, the change of title would not change the responsibility of shareholders, he did not see what objections there could be to the amendment.

Hon. Mr. CAMPBELL thought the amendment might be accepted.

Hon. Mr. SCOTT said it would simply be throwing a doubt on the powers of the company; it would be an intimation so far as this Parliament was concerned, that the powers of the charter had been exceeded.

Hon. Mr. CAMPBELL considered that the shareholders of the Cultivators' Company had been misled by the word "Isolated" into a business they had not intended to do. The answer to that was that they had been doing this business for six years without protest. But supposing the shareholders were now under the impression that this Bill made it more clear that the company could engage in a general business, those who took stock in it under the impression that isolated risks were the sole object of the company, should not be embarked in a general insurance business without giving them an opportunity of expressing their assent or dissent in relation to it.

Hon. Mr. BELLEROSE said he would move the first portion of the amendment separately, as there could be no objection to it, and every hon. gentleman could vote on the other portion according to his own understanding of the clause.

Hon. Mr. DICKEY said the amendment would have to be moved, as it appeared in the notice. The amendment had already been rejected at a former stage of the Bill. However, as the hon. leader

of the Government had accepted the motion, he had no objection to it if the latter portion of the clause were left out.

Hon. Mr. BELLEROSE contended that this amendment was not the same as the one that had been rejected at a previous stage of the Bill; that amendment had reference to the liquidation of the company, and this motion was to provide that this Act should not affect the present rights of individual shareholders until it was concurred in by a two-thirds vote of the shareholders.

Hon. Mr. CAMPBELL considered that the proposition was a reasonable one. He did not think that any company would desire to make such a change unless two-thirds, at all events, of the shareholders concurred in it. If it were the desire of the stockholders generally that this change should take effect it would be easy to get two-thirds of them to vote for it and settle the matter.

Hon. Mr. POWER hoped that the hon. gentleman who had charge of this Bill would not consent to this amendment, for it seemed to him it would render the measure worthless. It appeared from the discussion to-day, that the Quebec company had never gone into operation, and practically the provisional directors had really done nothing under their own charter, and had gone into the Isolated Risk Company the same as any other shareholders. The hon. gentlemen from De Lanaudiere and De Salaberry had contended that the Legislature of Canada had not acted properly in passing the Bill to incorporate the Isolated Risk Company. That argument might have held good in 1873 when the Company was being incorporated, but it seemed to him it was out of place now after the company had been doing business for six years under that charter. The objectionable features of the Bill had been struck out in the Lower House, and now the Company practically asked nothing further than to be allowed to change their name, and it should be granted. Hon. members all knew what was the status of the promoters of the Bill, but he wished to ask what was the status of the Opposition! It was simply the hon. gentleman from De Lanaudiere who was dissatisfied because he could not have his own way in this matter. The Company had acted under the existing law which allowed the majority to govern, and it would be exceedingly unfair if this House were to make special legislation for the minority of the shareholders. He objected to the motion even though the latter part of the clause were struck out as suggested by the hon. gentleman from Amherst.

Hon. Mr. MACMASTER regretted that the Bill should have occupied the attention of the House so long. A good deal had been said as to the amalgamation. As he understood it there had been no such thing as an amalgamation. He had been under the impression when the Bill was first introduced that the Quebec company had been in operation for some time, but it appeared from statements made during this discussion, that it had not been in operation, and if any stock had been subscribed at all it was only a small amount. The arrangement had simply been that the Isolated Risk Company should transfer one half of their stock to the other company, and they should pay the ten per cent. call on it. The Quebec Company came into the arrangement as ordinary subscribers to the Isolated Risk, and there was no such thing as an amalgamation. He would accept the amendment so far as it provided that this Act shall not affect the rights which any individual shareholders may have before the passage of this Act.

Hon. Mr. BELLEROSE said before the Bill passed he wished to read to the House the following advertisement to the public, which showed conclusively that the Isolated Risk Company had professed to do only an isolated risk business, and how wrong some hon. Senators had been in stating that the Isolated Risk Company had all along been doing a general business:

"Isolated Risk and Farmers' Fire Insurance Company of Canada. Capital, $600,000. Deposited with Government, $100,900. President, the Hon. Alex. Mackenzie, M.P.; Vice-President for Ontario, George Creig, Esq.; Vice-President for Quebec, the Hon. J. H. Bellerose, Senator; Manager, J. Maughan, jr., Toronto.

* * * * * * *

"This company insures against all loss by fire or lightning only detached farm and isolated property, farm stock, cattle and furniture in

isolated dwellings; also isolated churches and schools. No business risks taken, &c., &c."

Hon. Mr. McMASTER said that advertisement was perfectly consistent with the business of the company for several years. It was only within the last eighteen months or two years that they had commenced to do a general insurance business.

The amendment was agreed to.

The Bill was then read the third time and passed.

BUILDING SOCIETIES IN THE PROVINCE OF QUEBEC BILL.

SECOND READING.

Hon. Mr. TRUDEL moved the second reading of Bill (O) "An Act to authorize and facilitate the liquidation of the affairs of Building Societies in the Province of Quebec." He said this Bill was to be amalgamated with the Bill introduced by his hon. friend from De Lanaudiere. There were some details in that Bill which could be easily introduced into this one, when it went to the Committee.

The Bill was read a second time.

PROMISSORY NOTES AND BILLS OF EXCHANGE BILL.

THIRD READING.

The House, according to order, went into Committee of the Whole on Bill (31) An Act to amend and consolidate the laws respecting duties imposed on Promissory Notes and Bills of Exchange.

Hon. Mr. ODELL, from the Committee, reported the Bill with several amendments.

The amendments were received and concurred in, and the Bill was read the third time and passed.

BILLS INTRODUCED.

The following Bills from the Commons were introduced, and were read the first time:

Bill (C.) "An Act to remove doubts as to the true intent and meaning of certain provisions of 'The Canada Temperance Act of 1878.'" (Hon. Mr. Scott).

Bill (28) "An Act to amend an Act intituled: 'An Act respecting the Intercolonial Railway' passed in the thirty-ninth year of the reign of Her Majesty Queen Victoria." (Hon. Mr. Aikins).

Bill (44) "An Act to repeal 'An Act to regulate the construction and maintenance of Marine Electric Telegraphs.'" (Hon. Mr. Macdonald).

Bill (32) "An Act to amend 'An Act to provide for more effectual inquiry into the existence of corrupt practices at Elections of Members of the House of Commons.'" (Hon. Mr. Aikins).

The House adjourned at 6 p.m.

THE SENATE.

Wednesday, April 30th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE DETROIT RIVER TUNNEL BILL.

THE PETITION RECEIVED.

Hon. Mr. ALLAN from the Committee on Standing Orders and Private Bills reported that they had considered the petitions of the Honorable William McMaster, praying the "'Canada and Detroit River Bridge Company' may be permitted to petition for an Act amending the Acts relating to the said company; and also, that the 'Detroit River Tunnel Company' may be permitted to petition for an Act amending the Acts relating to the said Company," notwithstanding the expiration of the time limited by the Senate, and recommended that the 49th rule be suspended and the petitions received.

The report was adopted.

PUBLIC LANDS BILL.

THIRD READING.

Pursuant to the order of the day, the House went into Committee of the Whole on Bill (21) "An Act to amend and consolidate the several Acts respecting the Public Lands of the Dominion."

On the 23rd section,

Hon. Mr. CAMPBELL explained that a deputation consisting of two members of the Manitoba Government had held an interview with the Dominion Government on the subject of the administration of the school lands in their province, and expressed themselves satisfied with the arrangements proposed in this Bill. This 23rd clause provided that the school lands should be administered by the Governor in Council, through the Minister of the Interior. The sub-sections were as follow :—

"1. Provided that all sales of school lands shall be at public auction, and that in no case shall such lands be put up at an upset price less than the fair value of corresponding unoccupied lands in the township in which such lands may be situate.

"2. Provided, also, that the terms of sale of school lands shall be one-fifth in cash at the time of sale, and the remainder in nine equal successive annual instalments, with interest at the rate of six per cent. per annum, to be paid with each instalment on the balance of purchase money from time to time remaining unpaid.

"3. Provided, also, that all moneys from time to time realized from the sale of school lands shall be invested in Dominion securities, and the interest arising therefrom, after deducting the cost of management, shall be paid annually to the government of the province or territory within which such lands are situated towards the support of public schools therein; the moneys so paid to be distributed with such view by the government of such province or territory in manner as may be deemed most expedient."

Hon. Mr. SCOTT said that there had been a debate on this subject last session when the opinion of the House seemed to be that it would be better not to hasten the sale of these lands.

Hon. Mr. CAMPBELL—That is the policy which is laid down in this Bill. It is proposed to go very slowly with the sale.

Hon. Mr. SCOTT said that the late Government had decided, in the interest of the coming generation, that those lands should not be disposed of until their value should be increased. That was the policy which had been followed in some states of the neighbouring Republic, and which had been attended with the best results. His view was that no portion of these school lands should be sold for five or ten years.

Hon. Mr. CAMPBELL said that the Government did not propose to go that length, but the decision arrived at, as would be seen by the first sub-section of this 23rd clause, was not to hasten the sale of these lands until they were enhanced in value.

Hon. Mr. SCOTT thought that so long as the government had the power to sell them there would be a constant pressure to bring them into the market.

Hon. Mr. MILLER did not know that the House should be so solicitous about posterity. They should think something about the present generation. He thought that the section should meet the views of the hon. Senator from Ottawa, as the lands could only be sold when their value was enhanced.

The clause was adopted.

Hon. Mr. McCLELAN, from the committee. reported the Bill with amendments, which were concurred in.

CONFEDERATION LIFE ASSOCIATION'S BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. McMASTER moved that the following amendments made by the select committee on Banking and commerec to Bill (53) "An Act to amend the Act of incorporation of the Confederation Life Association" be concurred in:

Clause A.

"If the interest of any person or persons in any share or shares in the Capital Stock, Policy, Bonus, Dividend or other obligation of the Association, hath become or shall become transmitted in consequence of the death or bankruptcy or insolvency of any such holder, or in consequence of the marriage of any female holder, or by any other lawful means other than a transfer upon the books of the Association, the Directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Association, or to recog-

nize such transmission in any manner, until a declaration in writing, shewing the nature of such transmission. and signed and executed by the person or persons claiming by virtue of such transmission, and also executed by the former shareholder, if living and having power to execute the same, shall have been fyled with the Manager of the Association, and approved by the Directors; and if such declaration purporting to be signed and executed shall also purport to be made or acknowledged in the presence of a Notary Public, or of a Judge of a Court of Record, or of a Mayor of any city, town or borough or other place, or a British Consul or Vice-Consul, or other accredited representative of the British Government in any foreign country, the Directors may, in the absence of direct actual notice of a contrary claim, give full credit to such declaration, and unless the Directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of such transmission to be entered in the books of the Association."

Clause B.

"If such transmission has taken place or shall hereafter take place by virtue of any testamentary act or instrument, or in consequence of an intestacy, the probate of the will, or letters of administration, of act of curatorship, or testament testamentary, or testament dative expede, or other judicial or official document under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased, shall purport to be granted by any court or authority in the Dominion of Canada, or in Great Britain or Ireland, or any other of Her Majesty's Dominions, or in any foreign country, or an authenticated copy thereof, or official extract therefrom, shall, together with the said declaration, be produced and deposited with the Manager; and such production and deposit shall be sufficient justification and authority to the Directors for paying the amount or value of any policy, bonus, dividend, or other obligation or share, or transferring or consenting to the transfer of any obligation, policy, bonus, dividend or share, in pursuance of and in conformity to such probate, letters of administration, or other such document as aforesaid, notwithstanding probate, letters of administration, or other authority may not be proved or had in Ontario."

Clause C.

"Whenever the Directors shall entertain reasonable doubts as to the legality of any claim to or upon such share or shares, policies, bonuses, obligations or dividends, or the proceeds thereof, then and in such case it shall be lawful for the association to fyle in any one of the Superior Courts of law, or in the Court of Chancery, in the Province of Ontario, a petition stating such doubts, and praying for an order or judgment adjudicating and awarding the said shares, policies, bonuses, or obligations, dividends or proceeds to the party or parties legally entitled to the same; and such court shall have authority to restrain any action, suit or proceeding against the Association, the directors or officers thereof, for the same subject matter pending the determination of the said petition; and the Association and the Directors and officers thereof shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters which shall have been in question in such petition, and the proceedings thereupon: Provided always, that if the court adjudges that such doubts were reasonable the costs, charges and expenses of the Association in and about such petition and proceedings shall form a lien upon such shares, policies, bonuses, or obligations, dividends or proceeds, and shall be paid to the said Association before the Association shall be obliged to transfer or assent to the transfer, or to pay such shares, policies, bonuses, or obligations, dividends or proceeds to the party or parties found entitled thereto."

He explained that the two first clauses provided that any claimant presenting his claim, properly authenticated, would be paid in Ontario, at the head office, without being obliged to take out letters of administration. The third clause provided, that in the event of any dispute arising, the company may refer the claimant to any of the superior courts or the Court of Chancery to have it decided. This was similar to the clauses introduced in three bills which had passed this House during the present session.

Hon. Mr. RYAN said that some differences of opinion had arisen in the Committee on Banking and Commerce on the third of these clauses. The objections to it were of a legal and technical character, and, for his own part, he was not sufficiently versed in the bearing and effect of the law in this case to be able to deal with the matter as he would wish to do, and bring it clearly before the House. During the proceedings of the Committee, the Law Clerk had been called upon to make a report which he had done, but only verbally, and his opinion had been unfavorable to the adoption of the third clause. Now, the effect of this clause (C) would be that whereas the company was already bound by its charter to allow any person who had a claim against it, to institute suit in whatever province he, the suitor, might reside, this clause, it was thought, would interfere with that right of suing the company in the province in which the suitor resided. On the other hand, it had been argued that this clause (C) would only give suitors an opportunity of suing in their own, provinces or in Ontario at their option.

Hon. Mr. MILLER—It is a cumulative remedy.

Hon. Mr. RYAN said that was the legal question at issue. The opinion of the law clerk in the committee, as he had stated, was given verbally, and was unfavorable to the clause on that point, while the solicitor of the Company thought that the effect of it would be cumulative, and not adverse to the suitor. A strong doubt having arisen in his, (Mr. Ryan's) mind on the subject, he had asked the law clerk to give his opinion in writing, which that gentleman had done, and it was as follows:

Memorandum.

Respecting clause C., proposed to be added to Confederation Life Association Act of incorporation amendment Bill.

1. That the clause would extend to claims of creditors of the Association, as well as to pretensions of parties to have acquired shares otherwise than by transfer, the provisions of section 25, of the General Banking Act (34 Vic. Cap. 5), which are thereby limited to such pretensions only.

2. That by sub-section 7 of section 15, of its act of incorporation (34 Vic., Cap. 54), the Association may be sued in any province.

3. That by this clause an order or judgment of a Superior Court, or of the Court of Chancery, in Ontario, made in an *exparte* proceeding, on the petition of the Association, might award a share or claim to A., as being, by the laws of the Province of Quebec, for instance, the lawful heir of an intestate deceased shareholder, or creditor of the Association, while a court in the Province of Quebec, in a contested suit against the Association, might award it to B. as being, by that law—which such court is supposed to understand—his only lawful heir, and the Ontario judgment would prevail!

4. That Parliament has not power to enact that any court, in any province, shall have authority to restrain proceedings in any suit or action pending in any court in any other province, as it would do if it adopted this clause.

5. That clauses 6, in Bill E., and 3 in Bill F., of this session, though similar to this in other respects, differ from it in this respect, viz., that Bill E. relates solely to building societies doing business in Ontario, where alone they can be sued, and that Bill F. relates to a company by a provision in whose charter (See 27, Vic. Cap. 50, Sec. 62), service of all process against it must be made at its office in Toronto.

6. That even if the clause is adopted, the first proviso of Sec. 25 of 34, Vic. Cap. 5—requiring notice of petition to be given to the claimant of a share—should be inserted in it.

He wished to commend this statement of the law clerk to the consideration of the House, and especially of those members belonging to the legal profession. For his own part, he had serious doubts whether it was wise to allow the adoption of clauses in one Bill merely, because they had been introduced in other bills, in which they might perhaps be permissible, while very objectionable in cases like the present to which it was attempted to apply them.

Hon. Mr. SCOTT assumed that the intention was to limit the clause entirely to the Ontario business, but it should be made to read more clearly. Of course it would be idle to say that a court of law in Ontario would interfere with a court in another province.

Hon. Mr. TRUDEL thought that the objection which had been raised by the hon. Senator from Victoria, (Mr. Ryan), was a very strong one. The matter had been discussed before the Committee, but the majority of its members had thought proper to report the clause as it stood. It was a principle of law accepted everywhere that personal property was governed by the law of the domicile *lex loci*, and consequently the estate of a man who died intestate for instance, was governed by the law of the place where he had his domicile. This was a company of a general character, whose shareholders might be in any of the provinces of the Dominion. And if the principle of law which he had mentioned were correct, a difficulty might arise, in case one of these shareholders—say one residing in Quebec or Nova Scotia, should die intestate, as to the ownership of his stock. A law suit might take place in that province, and the court would have to decide upon the question of ownership. In the meantime the matter might be brought by the company in virtue of clause "C," before an Ontario court, and what would be the result if a conflicting judgment should happen to be rendered? The company, under the terms of this clause, would have this right. It was conveyed in the following words:—

"It shall be lawful for the associaton to fyle in any one of the superior courts of law, or in the Court of Chancery, in the Province of Ontario, a petition stating such doubts, and praying for an order or judgment adjudicating and awarding the said shares.

If the company should learn that a suit was pending in another province it would not be to their interest to obtain from an Ontario court an order which might be in opposition to the judgment of the other court, which judgment, in his opinion, would prevail. Of course, if the managers of the Company were wise, as he had no doubt they were, they would avoid such a difficulty by not asking for conflicting orders. Still, the wrong principle of legislation would be there, and might be cited by some other company as precedent for similar legislation in the future. It had been very properly observed that the difficulty was not so serious in the other cases, as the bills in which this clause had been introduced affected building societies whose operations were necessarily of a local character.

Hon. Mr. AIKINS—By the legislation of this session they have been allowed to do business in other provinces as well as in Ontario.

Hon. Mr. TRUDEL contended that when the House discovered that they had entered upon a wrong course it was time to discontinue it. If this clause should be adopted, it would create embarrassment and difficulties which they could not foresee the end of. In his opinion, if a conflict should arise between two courts, the judgment of the court in the province where the case arose should prevail, because that was the proper tribunal. Then, what was the use of giving this jurisdiction to the Ontario courts ?

Hon. Mr. BUREAU said that there were cases in which estates were not to be disposed of in the country where the owners resided. For instance, the estate of a party married in Scotland, when divided in the Province of Quebec, was subject to the laws relating to estates in Scotland.

Hon. Mr. CAMPBELL said that the real estate would go according to the law of the country where it was situated. It seemed to him that the clause under discussion extended a little too far. The clauses in the other Acts, to which allusion had been made, were dependent upon clause "A," which was intended to regulate disputes which arose to shares upon the death of a person, and upon a question of intestacy of the administration of his estate. At page 221 of the Minutes of Proceedings, it would be seen that clauses "A" and "B" were added to the Bill respecting Building Societies carrying on business in the Province of Ontario. There was a third clause there also, but this clause "C" seemed to go beyond that. The third clause added to the Building Societies Bill related to cases of descent of some interest in a society by bankruptcy, insolvency, or death, and made provision, if a doubt should arise as to ownership, that the company might go into court to obtain a decision, and that, if the doubts should appear to be reasonable, the Company should not be at the expense of the litigation. The amendments proposed to this Bill extended to any dispute which might arise.

Hon. Mr. MILLER—I do not think it goes that far.

Hon. Mr. CAMPBELL said that the words, "in any of the above cases," which appeared in the first line of the third clause added to the Building Societies Bill, and which confined the application of the clause to the cases specified in the two preceding sections, were omitted from clause "C" under discussion. The effect or that omission was to make this clause a new and distinct section in itself, and to extend its application to any litigation to which the Company might be a party. It seemed to him an objectionable piece of legislation to declare that whereas other companies might be sued in the ordinary way, this company might avoid a suit by fyling a petition in court and getting a decision upon it. If these references were to take place, they should not be exclusively in Ontario. Suppose this Company were doing business in Halifax, and a policy holder were to die and the representatives of the deceased person were to apply for the payment of the policy there, it would be rather hard to say to them that there was a doubt about it which must be decided in an Ontario court.

Hon. Mr. SCOTT thought that the provision would have no force in cases arising outside of Ontario.

Hon. Mr. VIDAL said that the word "such" in clause "C" would show that the

cases referred to were those specified in the two preceding sections.

Hon. Mr. CAMPBELL thought not. He suggested that the clause should be changed so as to show that it related only to cases arising as specified in clause "A" and "B" and also that the doubt as to the right of parties to enter suits against the company in the provinces where it transacted business, should be removed.

Hon. Mr. MILLER said that the opinion of the law clerk had certainly been prepared with a great deal of care, and was entitled to respect. His view of the case had been put very fully and very strongly, and anything which he, (Mr. Miller), had to say in opposition to that opinion, would be advanced with some hesitation in the absence of a more careful consideration of the subject. With regard to the first objection raised, that the act to which this was an amendment gave power in the different provinces to parties having causes of action, to bring their suits in the several provinces, he did not think that any language used in this clause (C), could, by implication, take away that right, and that whatever remedy was given by this clause under discussion, would be cumulative and in addition to the remedy given by the statute. He did not think that Parliament could take away any right given in the original act by implication, but that express legislation would be required to do that. He did not think, therefore, that there was much force in the objection that the passage of this clause would destroy rights now existing with regard to suits in other provinces than Ontario. With respect to the second point, as to the operation of this clause, he thought that the hon. gentleman, (Mr. Campbell), was rather mistaken as to its intention and effect. He had referred to a case of a similar character in a bill passed this Session in which qualifying words existed —alluding to cases which were specified in one or two clauses that preceded it. He, (Mr. Miller), thought that the effect of the language of this clause was just the same as that of the language in the other, because the cases which it was intended to affect were referred to in clauses "A," and "B." He said it was clear to his mind that the reference was to the "share or shares" enumerated in the first section, (A.)

Hon. Mr. CAMPBELL quite agreed in all that, but asked if there was not a doubt in the words following : "policies, bonuses, or obligations," etc. Would not that language include any case ?

Hon. Mr. MILLER thought not, because they all had reference to the same character of claim, and the language of the House fairly met this second objection. With reference to the operation of a suit in any of the Courts of Ontario, whatever this House might do, it could not give power to any one of the Superior Courts in Ontario to send its suits outside of that province. They had no right to interfere with the practice of the courts in different provinces. We do not think that there should be any clashing of two judgments on the same matter or the same claim; and he could not, therefore, see the difficulty which was apprehended by his hon. friend from De Salaberry, (Mr. Trudel.) But if there was any doubt. it could be set at rest by adding these words : "accruing in the Province of Ontario." He thought there should be something of the kind, because this clause, which referred altogether to rights of succession, should not give to the courts of Ontario control over the courts in any other province. He did not think that it did, but the House should not leave the matter in doubt, and should limit the control of the courts of Ontario to cases arising in that Province. He, (Mr. Miller), had been given to understand that there was a condition in policies in this Company, that where a difference should arise contrary to the law of Ontario, then the matter should be adjudicated in that Province. He thought the amendment, which had been proposed would obviate what would be a great injustice.

Hon. Mr. DICKEY said that he had heard that statement before. It was new to him then, as it was now. He thought there was a good deal of force in the opinions brought forward by the hon. Senator from Victoria. The House would recollect that this third clause was a new one as regards insurance companies and associations. and had been brought forward for

the first time this session. It was so new that it struck him very forcibly, and he had scanned it closely, and finding it to be of a very sweeping character he had suggested the amendment as to costs, which the House had adopted. The third clause ought only to apply to the class of cases described in clauses "A" and "B" and if there was any doubt on that point, surely that doubt should be removed. He could not agree with the hon. Senator from Richmond that this clause would merely give a cumulative remedy, because as it stood, it did not apply to any proceedings to be taken by the policy-holder, but to proceedings to be taken by the Company against a claimant. It was therefore in no sense a cumulative remedy and it was the more necessary that it should be carefully looked into. The courts of Ontario have no power outside of the province; and they should not by implication be supposed to have any. He had written a resolution to the following effect: "that the said Bill be referred back to the Committee on Banking and Commerce for the purpose of amending clause "C" reported, so as to confine its operation to claims arising under sections "A" and "B" and claims made by persons in Ontario accruing therein, and to suits in said province." That was the idea which he wished to convey, although he was not particular as to the mode. If it was the sense of the House, he thought it would be desirable that this amendment should be dealt with in committee, and he hoped that the promoter of the Bill would accept it.

Hon. Mr. PENNY said that the words of this clause extended beyond the clause referred to in the two preceding clauses. He referred to the words "policies, bonuses," etc.

Hon. Mr. CAMPBELL—Those words should be struck out.

Hon. Mr. MACPHERSON said that the Committee on Banking and Commerce had not had the advantage of hearing a discussion of this question by lawyers, but they had been informed that legal advice had been taken, and their conclusion was that the powers they were giving to this Company were similar in character, and of no greater scope, than they had granted to other companies. They believed that the only changes in this clause were those which were necessary to adapt it to the business of the Company. Nevertheless, it might be desirable to amend it in such a way as to remove all doubts, and satisfy the misgivings of his hon. friend from Victoria.

Hon. Mr. MILLER thought the clause should be amended, if changed at all, in the direction indicated by the Receiver General: to provide that these claims should be decided according to the laws of the different provinces in which they might accrue.

Hon. Mr. DICKEY suggested that the Bill be referred back to the Committee on Banking and Commerce for the purpose of amending clause "C," so as to confine its operation to claims arising under clauses "A" and "B," and claims made by persons in Ontario.

Hon. Mr. CAMPBELL said the objection to this proposition was that it did not make provision for claims arising in any other province.

Hon. Mr. McMASTER said that he was willing to accept the amendment suggested by the Receiver-General.

Hon. Mr. VIDAL said that there were grave reasons why the suggestion to remit these questions to the superior courts in the provinces or countries where they might arise, was open to very serious objections. Some of these questions might arise in England or in countries more remote, and he did not think it was right that the company should be obliged to carry on legal proceedings in such countries. Toronto was the only place where the claims could be paid, and it was a matter of fact that one of the conditions agreed to by parties taking out these policies, and embodied in the policy itself, was that, in the event of any difference between the laws of the province or country in which a claim under it might arise, and the laws of Ontario, the latter must prevail. With these clear and distinct provisions in the policies themselves, and in the clause "C," which obviously related only to the same cases as clauses "A" and "B," he did not think that there was any danger of difficulty arising out of the clause as it stood. He was confident that no judge of a

superior court, or of the Court of Chancery in Ontario, would ever think of issuing an order which was to take effect in any other province or country, and, consequently, the clause would naturally and necessarily be confined, by its own terms, to cases coming under the jurisdiction of the courts of Ontario. However, if the promoter of the Bill was willing to accept an amendment, he, (Mr. Vidal), had no objection.

Hon. Mr. McMASTER—As there is such a diversity of opinion about this clause, I propose to withdraw it altogether.

Hon. Mr. MILLER said that the discussion had shown him that there was a necessity for a clause like this, amended as suggested by the Receiver General. The hon. Senator from Sarnia had stated that there was a clause in the policies of this Association which gave it a great advantage over its policy-holders—that if a cause of action should arise in a province or country outside of Ontario, and the laws of that province or country should differ from those of Ontario, then the courts of Ontario alone should have jurisdiction. Now this clause had reference to subjects of succession and descent of property, and in the several provinces (notably in Quebec) there were different laws, and, if the House was to deal with this question at all, it should regulate the action and working of the company according to the laws of the different provinces to which its business might extend. He therefore thought that it would not be right to drop this clause, but that it should be amended as suggested by the Receiver General. It was a very extraordinary thing that the company should have such a clause in its policies, but perhaps if people would insure under such circumstances it was their own look-out. It was, nevertheless, the duty of Parliament to guard their interests as far as possible, and he, therefore, would prefer to see this clause amended and incorporated in the Bill.

Hon. Mr. CAMPBELL said that it was an enabling clause, and if the promoter of the Bill thought fit to withdraw it, he should be allowed to do so.

Hon. Mr. McMASTER said that this Company had been in operation six or eight years and had been very successful. No such difficulties as some hon. gentlemen suggested had ever occurred. It was the interest of the Company not to raise trifling objections, but some instances would arise, and the House knew that cases of this kind coming before the courts of Ontario would not be decided in a hasty manner. There could be no danger to anybody's interests if the clause should pass, but as there had been objections to it, he begged to withdraw it.

Clauses "A" and "B" were concurred in.

The Bill as amended was read the third time and passed.

PRIVATE BILLS LEGISLATION.

REPORT OF THE COMMITTEE ADOPTED.

Pursuant to the order of the day,

Hon. Mr. BELLEROSE moved that the report of the Select Committee on Private Bills Legislation be concurred in.

Hon. Mr. SCOTT said it seemed to him it was an accumulation of labour that all bills—obviously bills that were proper, or had come up from the other Chamber, the propriety of which there was no doubt of—should go to this Committee. He thought the rule was one that would not belong adhered to, as its inconvenience would become apparent before long.

Hon. Mr. CAMPBELL was of the same opinion, but as the Committee to whom the matter had been referred thought differently, it could at all events be tried for a time.

Hon. Mr. BELLEROSE said they were every day called upon to suspend some rule, and when it was evident that a Bill submitted to the House was within their jurisdiction, it would be very easy to ask for the suspension of the rule in this as in other cases. As to the statement made by the hon. gentleman from Ottawa, that bills that had passed through the Commons were obviously within the jurisdiction of this Parliament, it would be remembered that many bills that had come up from the Lower House had been

acknowledged in this House as legislation that came within the jurisdiction of the local legislatures.

Hon. Mr. SCOTT did not think this House would be satisfied with the report of the Committee as deciding the question of jurisdiction, each individual would have his own opinion, and the House would in no way be governed by the decision of the Committee.

Hon. Mr. MILLER said there could be no doubt that the House would not be bound by the report of the Committee on the question of jurisdiction, but they would be disposed to give very great weight and consideration to such reports. It had been a fruitful subject of discussion in Parliament—the question of the jurisdiction between the local and Federal legislatures. After the Union, a committee had been appointed by this House for the purpose of considering such questions, and it was intended and hoped, that the other branch of the Legislature would be induced to appoint a similar committee, and the two would form a joint committee to examine into subjects of disputed jurisdiction. Some of the leading minds of both Houses thought that such a tribunal would render decisions on such matters that would be of great weight with Parliament. The committee had been struck in this House, but from some cause he was not aware if the other branch of the Legislature had declined to strike a committee to co-operate with them, and after one or two sessions it was allowed to drop without any conclusion having been arrived at. There had not been a session the past five or six years during which the question of jurisdiction had not been raised in this House, and the desirability had been expressed of having a committee or some authority specially instructed to give careful consideration and attention to those subjects. With regard to the reports of such a committee, they would not be binding upon the House, if they were not consistent with the opinion of the majority of the Senate, but he believed if such a committee were appointed to give special attention to such questions, their reports would have great weight and consideration with the House. With regard to the trouble anticipated, they all knew that in this House, especially in the early part of the session, they had plenty of time for such investigations to get bills through afterwards for the other branch of the Legislature, or, if they came from the Commons, this House was never so pressed with business as to be unable to give such attention to these subjects as they deserved. They should either do this or fall into the practice of referring such questions to the Supreme Court, and he found that there was very great reluctance on the part of members of this House to relegate such questions to any tribunal independent of this Chamber, no matter how well qualified such tribunals should be to deal with them. In view of these facts he thought it would be well to give this proposition a trial.

The report was concurred in.

TONNAGE DUES BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (80) "An Act respecting Tonnage Dues in Canadian ports under Canadian law." He said: A bill was passed through the Legislature two or three sessions ago touching the manner in which tonnage was to be collected on Canadian vessels. but it had been reserved for the Royal assent, and was refused by the Colonial Office in consequence of its legislating for the collection of tonnage dues outside of the country, but they suggested that a bill could readily be passed through our Legislature for the purpose of fixing tonnage dues on ships in Canadian ports. Of course this we can do. A question arose, however, as to tonnage dues on vessels carrying deck loads. It seems in England all the space occupied in that way is measured and calculated as tonnage and charged accordingly. This it is not desirable to do so far as Canadian vessels are concerned, and we propose to exempt deck loads from tonnage dues.

The Bill was read the second time.

FELONIES AND MISDEMEANORS BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (75) "An Act for

the more speedy trial in certain cases, of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec."

He said: Certain unions of counties have been provided for in Ontario and Quebec at which these trials may take place, but there are certain points on which difficulties have arisen, which this Bill is intended to remedy. One of these points is that the judge who has a criminal before him can try him upon the charge only on which the prisoner is committed. If he is committed for felony he cannot be tried for misdemeanor. Sometimes the evidence upon which a magistrate thinks a man can be committed for a crime, when he comes before the judge, and is defended by a legal gentleman, it turns out to be insufficient to commit him for the crime for which the magistrate thinks he should be committed. The Bill provides that the offender may be charged with other offences than that for which he was committed, although they do not appear in the deposition upon which the prisoner was committed. The fourth clause gives the Judge the same power as to acquitting or convicting, as a jury would have, in case the prisoner was tried at a sitting of the Court of General Sessions. Another provision is that the Judge may admit the prisoner electing to be tried without a jury, to bail. It seems under the law as it now stands that the judge who has the prisoner before him must either try him or discharge him altogether, if the evidence is not forthcoming, but this Bill makes provision that the Judge may adjourn any trial from time to time until finally terminated.

Hon. Mr. MILLER—I think it has been heretofore held by some of the courts that the Judge has not the same power to try those cases as a jury, and I presume that the fourth section is to set that point at rest. The heading of the Bill is, I think, somewhat confused. Is this Act intended to apply only to Ontario and Quebec?

Hon. Mr. CAMPBELL—Yes.

Hon. Mr. MILLER—I think not; there are two Acts amended by this Bill: "An Act for the more speedy trial in certain cases of persons charged with felonies and misdemeanors in the Province of Quebec," and the "Act respecting summary convictions before Justices of the Peace." I think the provisions of the first mentioned Act appear to apply entirely to the Provinces of Ontario and Quebec, while the provisions of the Summary Convictions Act have relation to outside Provinces as well as Ontario and Quebec; therefore it is that the Bill is somewhat confused, as will be seen by the language of the 9th section. I think the intention of this law is to make provision only so far as it refers to the first mentioned Act. The title of the Bill refers exclusively to the Provinces of Ontario and Quebec, while the amendments made in regard to the Summary Convictions Act are applicable outside of those provinces.

Hon. Mr. SCOTT—The law relating to summary trials extends to other provinces. On its first introduction it was limited to Ontario and Quebec; it was subsequently applied to the Maritime Provinces, and then to Manitoba, though the title was retained the same as it was in the original Bill, when limited to Ontario and Quebec.

Hon. Mr. MILLER—The title is misleading.

Hon. Mr. CAMPBELL said he would direct the attention of the Minister of Justice to the point, and see if it could not be put in a more correct shape.

The Bill was read the second time.

TORONTO SAVINGS BANK BILL.

SECOND READING.

Hon. Mr. SMITH moved the second reading of Bill (26) "An Act to authorize the Trustees of the Toronto Savings Bank to sell and convey to the Home Savings and Loan Company, (limited)."

The motion was agreed to, and the Bill was read the second time.

TRURO AND PICTOU RAILWAY BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of the Bill (58) "An Act

to amend the Truro and Pictou Railway Transfer Act, 1877."

He said: Some years ago the Pictou Branch Railway was given to a company on condition that it should construct a road from New Glasgow to the Gut of Canso. The Government of Nova Scotia made a contract with a company for the purpose of constructing this road, but difficulties arose in one way or other and disputes, and finally the Government of Nova Scotia and the Government of Canada, and the parties interested as contractors, came to an agreement, which this Bill is intended to carry out and give effect to, and under which we hope that the road will be completed satisfactorily. We have taken care in the Bill to make some provision which we think will enable the Government to see that is the case. I will explain the clauses when the Bill goes to committee.

Hon. Mr. GRANT—I observe, hon. gentlemen, that in this Bill, there are some defects that I would like to bring to the notice of the hon. leader of the Government and which I consider of some importance. The Truro end of the Pictou and Truro road, is clearly defined, as far as the quantity of land that is to be appropriated to the new proprietors is concerned, but at the Pictou end there is no reference whatever made to the quantity of land. I wish to bring to the notice of this House, that at the time the railroad was built, and the land was expropriated under the provincial acts, a much larger quantity of land was taken there than was actually required, and subsequently a large portion of it was returned to the proprietors by arrangement with them by the late Government. At this present moment there is a large quantity of land on both sides of Pictou Harbor that is not used for railway purposes, but still belongs to the Department, and I think it is outrageous to give this large quantity of land to the new proprietors, as they have no need of it, and in Pictou town the new Custom House has been built upon some of it. There has been no law for taking over that land in any way, but the Government selected it, and fenced in about an acre that had been taken over originally for railway purposes, and I question very much if this land is handed over to the new proprietors in this way if they would not have a legal right to claim the whole of it, Custom House and all.

Hon. Mr. CAMPBELL—Is there anything about this land in the Bill?

Hon. Mr. GRANT—In the seventh section it defines where the line is to be drawn at the Truro end: "The right of property in the said railway to be transferred to the said Company or to the Government of Nova Scotia, as the case may be, shall not extend at the Truro end thereof, beyond the north-easterly boundary line of Princess street, in the town of Truro." At the Pictou end the line is not defined, and the whole of the land taken over originally will have to go to the new proprietors unless there is some legislation reserving it. I think the land at both ends of the road should be defined exactly. I remember reading of a case in Englsnd where a railway having taken over the land appropriated, had leased a large portion of it for hotel purposes, and the original owner from whom the land was taken, brought an action against the railway company and recovered, because the land having been expropriated for railway purposes was used for a hotel. Our Custom House is built upon land taken for railway purposes, but the original proprietor has not objected because he received a good price for it. If the land is made over to the railway company, however, it may be a matter of importance. I see no reference in the Bill to the steamer that plies on Pictou Harbor, whether it is made over to the new proprietors or not—whether it is considered part of the railway, or rolling stock. If it is considered part of the railway it must be handed over; if it is considered as rolling stock it must be reserved.

Hon. Mr. CAMPBELL said he would make enquiries with reference to those matters to which his attention had been called, and if amendments were required, they could be made when the Bill was in committee.

Hon. Mr. MILLER—With regard to the objection raised by the hon. member from Pictou, and the observations which he has made with reference to the terms

of section seven, which defines the rights and interest which the company shall take at that end of the road, the reason is obvious. This is a transfer of the Pictou Branch commencing at Truro, and running eastward, to the Cape Breton Company. It was necessary, at the point of junction with the Intercolonial Railway, that the rights of the Government should be maintained completely and absolutely over the station and terminus there, and that nothing but running powers should be enjoyed by the company, who take this road at that particular place. It was, therefore, necessary that the Government should expressly stipulate that they should retain full control at that particular end of the line. No such stipulations were necessary at the other end, and that is the reason, I suppose, that no such language has been used in reference to it. This is an act in amendment of the Act passed by this Legislature in 1877, and that Act, if my recollection of it is correct, does define what is to be transferred and does not include the land upon which the Custom House is built. I think it will be found, on reference to the Act of 1877, that the property which was to pass by that Act, is just such property as it was the intention of the Legislature then, and is the intention of the Legislature now, to make over, and I do not think there is any such difficulty as my hon. friend has suggested; but it is well that he has called the attention of the hon. Receiver General to it. I am very happy to be able to congratulate the Government upon the Bill. It is a measure of the greatest importance to the Province of Nova Scotia, and I think the arrangement is one for which the Government of the Dominion and the Government of Nova Scotia are entitled to credit, because they have managed to protect, in this arrangement, the rights of the public in relation to that railway, in a manner in which they were not protected before. According to the Act of 1877 the Company had everything their own way; the advantages were all on one side, and if they had succeeded in having the transfer made under that Act, the consequences might have been most disastrous to the railway communication of that part of the country. Fortunately for the public, the Company temporarily broke down; they were unable to fulfil their engagement, and consequently were not entitled to the transfer contemplated by the Act, when they should have been entitled to it. In that way the Government of Nova Scotia has been enabled to dictate better and fairer terms for the Province, and within the spirit of the original arrangement. All these things have been very carefully provided for in the present Bill, and should anything like a break-down occur on the part of the Company in the future, the Province will be entitled to resume the railway on fair and just conditions. It must be recollected that this Bill is founded on the agreement made between the Company now promoting the extension and the Local Government and the Government of the Dominion, and I presume it is not open to any amendment or to alter or vary the terms in any degree.

Hon. Mr. KAULBACH—I am very glad to see that the Government have found a way out of this difficulty, and I hope this Bill will have the effect of giving that communication with the Island of Cape Breton which it is intended to do. I trust the Government will be careful that all the conditions are performed by the company before the Pictou Branch is passed over to them, as it is the only paying railway owned by the Dominion, and there is a large amount of traffic over it.

Hon. Mr. WARK—There is one feature that ought to be carefully inquired into. The first provision is that in case the Company fails to operate the two lines, or in case the Government of Nova Scotia fails to operate them, the roads shall revert to the Dominion Government. If the Company or the Local Government fail to operate the Pictou Branch, it must simply be because they will be weighted down with the unprofitable portion of the line that is to be constructed, and the question is whether the Government should take the Truro and Pictou road back with that weight upon it. I think, if the occasion should arise, it would be a much better arrangement to allow the Government of Nova Scotia to keep their own part of the line, the Dominion Government to take back only the portion they are now giving.

Hon. Mr. MILLER—That is the meaning of the law.

Hon. Mr. WARK—No, the meaning is that they can take back the whole.

Hon. Mr. MILLER—I think it is unfortunate that the Dominion Government have allowed that important link in the railway communication across this Continent to go out of their hands. Ultimately the Atlantic port of our railway system must be Louisburg, and I think it is a great mistake that this important link between Truro and the Gut of Canso should pass into the hands of a private company. If the Government should ultimately get possession of that line it would be in the public interest to retain it.

Hon. Mr. CAMPBELL—If we do take the road back we get it for nothing.

Hon. Mr. MILLER—And get it clear of liabilities.

Hon. Mr. POWER—I did not propose to say anything about this bill—as I consider it a very proper one—if the hon. gentleman from Richmond had not deemed it advisable to say something against the former Government in connection with it. I hold in my hand the Act of 1877. The preamble of that act sets forth all that had taken place since 1874, in connection with this matter. The first section provides :

" The Pictou and Truro Branch Railway, including sufficient land for the purposes thereof, and the stations and buildings thereon necessary for the use of the railway, but without any of the rolling stock, shall be transferred absolutely to the person or company constructing the line from New Glasgow to the Strait of Canso, and providng a proper steam ferry aeross the Strait, as soon as such railway is constructed, with proper rolling stock and other appurtenances, aad such ferry provided to the satisfaction of the Minister of Public Works."

It seems to me that the public interests are sufficently guarded by that section. The branch is not to be transferred until the extension shall have been completed and the proper rolling stock and appurtenances provided.

Hon. Mr. MILLER—Supposing after that, they allowed the extension to run down and get out of repair, and continue to work the profitable portion of it, what then ?

Hon. Mr. POWER—I shall come to that. I am not aware that there was any large party in the Province of Nova Scotia who were opposed to the transfer at the time, and if I am not mistaken, there was no large party in Parliament opposed to the transfer then. I think that the hon. gentleman from Saugeen did oppose it, but the hon. Senator from Richmond favored it. The second section of the Act contains other guards for the public interest. It provides that temporary possession of the Pictou Branch shall be given to the builders of the Eastern Extension as soon as they shall have expended $400,000 on the work, and authorizes the Minister of Public Works to resume possession of the Branch if the contractors do not keep it in as good repair as at the time of the transfer, or fail to prosecute work on the Extension satisactorily ; or to provide sufficient rolling stock, or to work the Branch Line efficiently. The $400,000 does not appear to have been shown to have been expended up to the time that the late Government went out of power. I wish also to call attention to the third section to show further that the late Government did not fail to protect the public interest. That section is as follows :

" The arrangement for the absolute transfer of the said Pictou and Truro Branch to the contractor shall be terminable and possession thereof may be forthwith resumed by the Dominion Government in case, in the opinion of the Minister of Public Works, the contractor fails to execute the contract with the Government of Nova Scotia, or to fulfil the conditions of the temporary possession of the said Branch railway."

Hon. Mr. MILLER—With regard to the remarks of the hon. gentleman from Halifax, I think the reading of the clause which the House has just now listened to, bears out fully everything I have stated. The effect of the clause is this : that on the expenditure of a certain sum of money, the Company which had undertaken to extend the railway eighty miles further to the Strait of Canso, and for doing which, was getting this Pictou Branch as a subsidy, were entitled to have an absolute transfer of it made when the extension was completed. Then the Act provides that unless the Pictou Branch is worked as it is now, and kept in good condition, that the Government can

step in and resume control of it. But the neglect of the late Government was that the same condition was not applied to the extension to the Gut of Canso as well. The Pictou Branch is a valuable line, and the company might allow their own road to get out of repair if it did not pay to operate it, and operate only the most paying end of the line. It is in this that the Government are now doing the public a service in providing that unless the whole line is maintained in good condition, they shall be in a position to take that road over free from all incumbrance and work it themselves for the benefit of the country. Under the old law the Company could have held the Pictou road in defiance of the Government, if they merely kept that branch in repair.

The Bill was read the second time.

CONTAGIOUS DISEASES (ANIMALS) BILL.

REPORTED FROM COMMITTEE.

Pursuant to the Order of the Day the House went into Committee of the Whole on Bill (55) "An Act to provide against infectious or contagious diseases affecting animals."

Hon. Mr. POWER reported the Bill from the Committee with one amendment.

The report was received and the amendment was concurred in.

Hon. Mr. AIKINS announced that the hon. gentleman from Ashcroft had withdrawn his objection to the Bill, that it was inapplicable to British Columbia.

The Bill was ordered for third reading to-morrow.

The House adjourned at 6 p.m.

THE SENATE.

Thursday, May 1st, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE DETROIT RIVER TUNNEL.

PETITIONS FOR LEGISLATION PRESENTED.

Pursuant to the order of the day, the following petitions were read:

Of the Canada and Detroit River Bridge Company; praying that notwithstanding their having failed to publish the usual notices of their intention to apply to Parliament for such Act, an Act may be passed extending the time for the commencement and completion of the said Company's works, and that they may be permitted to construct a tunnel for railway purposes in lieu of a bridge, in the event of its becoming expedient for them to do so.

Of the Detroit River Tunnel Company: praying that notwithstanding the nonpublication of the usual notices of the intention to apply to Parliament for such Act, an Act may be passed extending the time for the commencement and completion of the works authorized by the Act 33 Vic., Cap. 51, for the period of four years from the time the Act may be passed.

THIRD READINGS.

The following Bills were read the third time and passed:

Bill (N) "An Act to amend and consolidate the several Acts respecting the Public Lands of the Dominion, as amended. (Hon. Mr. Campbell.)

Bill (55) "An Act to provide against infectious or contagious diseases affecting animals," as amended. (Hon. Mr. Aikins.)

TEMPERANCE ACT, 1878, AMENDMENT BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (70) "An Act to remove

doubts as to the true intent and meaning of certain provisions of 'The Canada Temperance Act, 1878.'" He said: In the Temperance Act last year certain clauses were introduced to make a provision for the repeal of the Dunkin Act, and for a proclamation and an order in council announcing such repeal was to take effect. That, of course, created some considerable delay, after the by-law itself was repealed, and it has been thought better that when a Dunkin by-law is repealed by a vote of the people, the repeal should take place at once. It is a matter which becomes notorious in the neighborhood immediately; all the people are aware of it, and the sale of liquor proceeds without license.

Hon. Mr. MILLER—There has already been an amendment to this Act during the present session, and it is not at all desirable that the statute book should contain two different acts on the same subject in the present session.

Hon. Mr. FLINT—I suppose that the hon. Senator for Ottawa would have given us some better explanations in reference to this Bill. Now, it happens that this measure would not have been introduced at all if the Dunkin by-law, passed some years ago in the county of Prince Edward, had not been repealed recently. It had been set at defiance by those who sold liquor, because it was found impossible to punish them. When two magistrates could be got to fine them, they appealed to the Judge, who invariably set their decision aside. An attempt was made by those opposed to the Bill to have it repealed, but they were defeated by an overwhelming vote. Recently, owing to the continued violation of the law, the friends of the cause became disheartened, and when another attempt was made to repeal the Bill, it was carried by a small vote. It was found, however, that some delay would occur before licenses could be issued, and this Bill was introduced to enable the authorities to issue licenses to those very people who had been for the last two or three years breaking the law successfully. It seems to me that this should not be done, and I cannot support any measure which empowers the authorities to issue licenses to sell alcohol. It seems to me that the measure is wholly uncalled for.

Hon. Mr. SCOTT—I have no desire to force the Bill. I did not know of its existence until it came up here yesterday. I am not acquainted with the circumstances in the county af Prince Edward, but I think it would be better that these liquor sellers should be under some sort of surveillance, in the cause of temperance and morality. It was only with that view that I moved tho second reading of the Bill.

Hon. Mr. FLINT—It appears to me that this Bill affects the Canada Temperance Act of last session, as well as the Dunkin Act.

Hon. Mr. SCOTT—No, it only applies to the repeal of the Dunkin by-law. It does not affect the Act of last sesaion. I do not approve of grafting the Dunkin Act on the Canadian Temperance Act of last session, and I only yielded to the desire of the House in doing so, but since it is there, the question now is whether it would be better, if the Dunkin Act is repealed, that there should be no interval between its repeal and the issuing of licenses. That is the whole point in this Bill.

The Bill was read the second time.

INTERCOLONIAL RAILWAY LAW AMENDMENT BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of the Bill (28) "An Act to amend an Act intituled 'An Act respecting the Intercolonial Railway,' passed in the 39th year of the reign of Her Majesty Queen Victoria."

He said: The Bill contains only one clause, which is as follows:

"The following proviso shall be added to, and read after, the last word of, the second section of the said Act of the Parliament of Canada and shall form part thereof; that is to say: Provided always, that nothing in this Act or in the Act intituled 'An Act respecting the Public Works of Canada,' shall injuriously affect or prejudice in any way the rights, franchises, and properties of the Halifax Street Railway Company, as granted to them and acquired by them, under certain acts of the Legislature of Nova Scotia, and as regards compensation for and the tribunal to ascertain the value of any and all of the properties, franchises and chartered rights of the said Company, which may have been or

may be interfered with by the Government of Canada; and the Government of Canada shall stand on the same footing, and shall be subject to the same obligations as the Government of the Province of Nova Scotia would have been subject to under and by virtue of the said acts of the Legislaturethereof."

The necessity of this Bill grows out of what has taken place in reference to the extension of the Intercolonial Railway from Richmond Station to North Street Station or deep water, in the city of Halifax. By the Act of 1875, in reference to the Intercolonial Railway, the road from Pictou to Halifax was declared to be a portion of the Intercolonial Railway. When that got to Richmond Station, it was then found desirable that the road should extend to deep water. Work was commenced on it, but doubts arose whether the Government were at liberty to construct the extension. In order to remove these doubts a declaratory Act was introduced in 1876, giving power to the Minister of Public Works to go on and complete this work. He did so, and the construction of the extension interfered with the rights of the Halifax Street any rights they had prior to the Public Railway Company. Now this Bill places that Company in this position, that Works Department interfering with their road, they have still. They had those rights under the legislation which took place in the Province of Nova Scotia, prior to Confederation.

Hon. Mr. SCOTT—I suppose it is to give that Company a claim for damages, on the Dominion Government. That is practically what it is.

Hon. Mr. AIKINS—If they have no claims, they cannot collect any. If they have just claims, they should not be debarred from obtaining justice.

Hon. Mr. POWER—I think before the House consents to the second reading of this Bill we would do well to consider exactly what we are doing. The Secretary of State has informed the House as to the nature of the legislation which took place in 1875. The Act with reference to the Intercolonial Railway was by that measure declared to extend to the railway from Richmond to North Street. The object of this Bill is to except a certain company from the operation of the Act of 1875. I do not think that there was any objections made to that Act at the time it was passed. It was a perfectly reasonable and proper thing that the law which applied to the taking of property along the line of the Intercolonial Railway, should apply to the property taken for the extension of that road into the City of Halifax. I could understand why this Bill should be favored by the government if it applied to all others, but the fact is that it does not apply to persons owning property on the line of the road with the exception of the Halifax City Passenger Railway Company. The hon. gentleman should give some reason why that Company should be treated differently from other parties along the line of the extension. As a citizen of Halifax, I do not think that that Company has any claim to special consideration. On the contrary, it is a company which has almost continually been in conflict with the citizens and with the City of Halifax; and there is no reason why it should receive special favors. The Bill is not now nearly as pernicious in its character as it was when it was introduced in the other branch of the legislature. It was very considerably amended in the other House, but still it is class legislation in favor of a company which has no special claim at the hands of Parliament or the people we represent here. The enacting part of this Bill is as follows:

"Provided always, that nothing in this Act or in the Act intituled 'An Act respecting the Public Works of Canada,' shall injurfously affect or prejudice in any way the rights, franchises and properties of the Halifax Street Railway, as granted to them, and acquired by them, under certain Acts of the Legislature of Nova Scotia."

As a matter of course, the Act of 1875 does interfere with the rights of this Company, because it provides that their claim shall be dealt with by the arbitrators as provided for in the Public Works Act. This Bill is to provide that the Company shall not be governed by the law which applies to all other proprietors of land on that line. It is a piece of exceptional class legislation aad ought not to be adopted by this House.

Hon. Mr. MILLER—I cannot say that I have given this subject much attention, but I do not agree with the remarks of the

hon. gentleman who has just taken his seat. I think that this Bill is not only just and proper, but it is removing a very unjust piece of legislation which was improperly passed by the Dominion Parliament four or five years ago. The facts of the case, briefly stated, are these: Many years ago — before Confederation — the Halifax Street Railway Company obtained an act of incorporation from the Legislature of Nova Scotia, which conferred upon them certain privileges and advantages. This railway was put into operation, and worked for a number of years at very great expense. A large amount of capital was invested in it, and it was considered to be a good property. In 1875 the street railway was extended from Richmond Depot to the southend of the city, and their charter gave them the exclusive privilege of laying down a street railway upon that line. The railway Depot was at that time at Richmond, over two miles from some portions of the city of Halifax. The right of carrying passengers by railway, from Richmond Depot, was vested in the City Street Railway Company, as I have stated, under their charter from the Legislature of Nova Scotia. In 1875, after several years of agitation, it was considered desirable to extend the Intercolonial Railway further into the city of Halifax, from Richmond to North Street, where the station is at present located. In order to do that, it became necessary to pass an Act of Parliament, taking authority similar to that exercised in the extension of the railway in other places. In doing so, the Government necessarily interfered with the rights and privileges and vested interests of the Halifax Street Railway Company. When that Act was before the Legislature, Mr. O'Brien, on behalf of the Company, protested against the passage of it. He was told by the Government that it would not interfere with his rights, or, rather, that he would have a chance of claiming his rights in a court of justice under it. He brought an action accordingly before the Exchequer Court for damages which, in my humble judgment, he is entitled to receive, because his road was not only torn up, but a portion of the line over which he had a charter right to carry passengers, was taken from him—from Richmond to North Street Depot. He brought an action for damages for violation of his charter. He was surprised, however, to find that the Government of Canada which, in 1875, had told him that the Act against which he had protested would not interfere with his right of litigation, was pleaded as a full bar to his claim, and the court ruled that it was so. He was turned out of court, as I was told, on what lawyers call a demurrer to his declaration. Under these circumstances he applied to the present Government, (and very justly), for an amendment to the Act such as is now before us—an amendment for what purpose? Merely to put him in the position that he occupied before the Act of 1875 was passed, taking away in the most unjustifiable and ruthless manner the right to seek redress for the violation of the privileges granted by charter by the Legislature of Nova Scotia prior to Confederation. I am sorry that the hon. gentleman from Halifax, (Mr. Power), has alluded to this Bill in the way he has done, but I may state that the reason may be that Mr, O'Brien in a very forcible manner condemned the late Premier of this country as having outraged his rights as a citizen, and by Act of Parliament over-ridden his vested interests, and on the eve of the last general election, he appealed in a most forcible manifesto to the constituency of Halifax to condemn the Government that had been guilty of such a gross outrage on vested rights. And we all know what the result of that appeal was in the City of Halifax. Perhaps that is the reason why the hon. Senator from Halifax, (Mr. Power), takes such a decided stand against this Bill which we are asked to pass in order that Mr. O'Brien may be allowed to go before the courts and vindicate his rights. This Bill would give him no rights if he did not possess any under the Act of the Legislature of Nova Scotia. It is a mere act of justice, tardy though it may be, but not less proper on that account.

Hon. Mr. POWER—Does the hon. gentleman think that Mr. O'Brien's appeal influenced a single vote in the City of Halifax?

Hon. Mr. MILLER—I think it influenced a great many.

Hon. Mr. POWER—I do not think it did.

Hon. Mr. ALMON—I should be the last member of this House to seek to prevent Mr. O'Brien bringing his case before the courts, but I think that we should introduce a clause in this Bill to require him either to run his cars or take up the rails. For the last four or five years no cars have been running on that line, and the rails rise four or five inches above the level of the road to the great inconvenience of the public. By an unfortunate omission in the charter, there was no clause requiring him to run cars, and the city authorities are afraid to take up the rails. I have no objection to the Bill if a clause is inserted requiring Mr. O'Brien to take up those rails or prevent them being a nuisance to the City of Halifax.

Hon. Mr. SCOTT—At the time that the roadway was occupied to construct the Intercolonial Railway Extension, were the street cars stopped from running?

Hon. Mr. ALMON—Yes, I think for one day.

Hon. Mr. SCOTT—Only one day?

Hon. Mr. ALMON—Well, say two days.

Hon. Mr. SCOTT—I do not know anything about this matter, but I am sure if the late Minister of Public Works had thought that Mr. O'Brien had any claim, he would have acceded to his request. He must have had the best of reasons for taking the course he did.

Hon. Mr. DICKEY—I sympathise with the hon. gentleman from Halifax in his opposition to this Bill, arising from injury to carriages by the exposed rails; but in his calling upon the House to say that Mr. O'Brien should keep his street cars running, I cannot. I believe my hon. friend has had a great deal of difficulty with that Company. At the same time, I think the House will scarcely be influenced by any controversy between my hon. friend and Mr. O'Brien's Company. There are always wheels within wheels, but, at the same time, it ought not to influence the House in either way. With regard to this Bill, I should not have risen except for the purpose of making the explanation which I am enabled to do. I asked the leader of the House, (Mr. Letellier), on the occasion of the passage of the Intercolonial Amending Act, whether the Act would deprive Mr. O'Brien of his rights, and whether he should have an opportunity of getting the same justice that other people would get in relation to his claims. I was answered in the most positive manner, and no doubt in perfect good faith, by the then leader of the Government in this House, most certainly it would not, and full justice would be done to Mr. O'Brien. I had nothing to do with Mr. O'Brien, except that I happened to know that he had those claims, and I think he petitioned this House for redress. After that assurance, I did not oppose the Bill, because I relied upon the assurance that full justice would be done to the petitioner. Under those circumstances, the Act went into force, and my hon. friend from Halifax, who has spoken, conveyed the impression to the House that the Act provided a remedy.

Hon. Mr. POWER—So it did.

Hon. Mr. DICKEY—If my hon. friend says it provided a remedy, why, of course, there is an end of it. Why should we be prevented now from legislating in the same direction? Why should we hesitate to pass an explanatory act to allow him to press those claims? But I believe my hon. friend is mistaken, and the best proof of that, is the statement made by the hon. gentleman from Richmond, that when the matter came before the Supreme Court, that tribunal decided that the Act of 1876 shut him out from any remedy. If my hon. friend will refer to that Act, he will find no reference made to the claims of the Halifax Street Railway Company. The first clause makes the line of railway from Richmond station to North street, Halifax, a part of the Intercolonial Railway; therefore this Act gave full power to the Minister of Public Works to interfere with their franchises and easements, but it gave no remedy whatever. The consequence was that Mr. O'Brien was out of court. I presume that the object of this Bill is simply to put Mr. O'Brien, or the Halifax Tramway Company, on the same footing as any other persons claiming for lands taken.

Hon. Mr. AIKINS—Hear, hear.

Hon. Mr. DICKEY — Now, according to the statement in the Bill it appears that there were certain rights and franchises given to that Company by the legislature of Nova Scotia, before the union. Surely the hon. gentleman from Halifax will admit that when the Dominion took all the property of the Province they took all its liabilities as well. All this Bill proposes is that the rights and powers and franchises given to the Halifax Tramway Company shall be inquired into, and they shall be allowed to have those claims decided. It simply gives them the same right that other people had with respect to their property. The other claims have all been settled, but with regard to this particular claim it appears that the late Minister of Public Works shut him out by this Act, notwithstanding the declaration made in this House that his rights would be protected under it, and the Supreme Court has rendered a decision upon it adverse to the claim of the Halifax Company for injury to their franchises. This Bill merely gives them an opportunity of presenting their claim before the official arbitrators.

Hon. Mr. MACPHERSON—I think it would be in the interest of the country if the Government would introduce a Bill to authorize them to lease the Intercolonial Railway to a company. I believe a time has arived when that might be done with very great advantage to the public. The railway is now nearly completed, and I feel quite certain that the Government cannot manage that road as economically as a company would do; and it might be leased on conditions which would ensure to the public all the accommodation, and all the facilities that they can receive from the railway. In fact I think the public would receive greater facilities from a company than from the Government, because a company would always be interested in doing what they believed would increase the revenue, if not immediately, at an early day in the future, while the Government have to be careful not to increase expenditure that they cannot show to Parliament is absolutely necessary. I am well aware that the Government could not lease the Intercolonial Railway without giving a subsidy, but I think if they were to lease it for a term of years they could do so for a subsidy of not one-half what the Government would lose in the same time by running it. The fact that a Department of Railways is being created, does not lead me to expect that the Government will lease the road at present, although I think it would be the best policy for the country.

Hon. M. KAULBACH—I do not agree with my hon. friend, and his remarks are irrelevant to the present question. He might as well talk of leasing our canals. I believe these great arteries for the distribution of the commerce of the country should be run in the interest of the public, as they are in other countries on an almost nominal tariff.

Hon. Mr. MACPHERSON—The Government should fix the tariff.

Hon. Mr. KAULBACH—It was part of the bargain on which the Maritime Provinces entered into the Confederation, that this road should be constructed and operated as one of the great highways of the Dominion, by the Government of the Dominion, and I think it would be sadly against the interests of the country, and our inter-provincial trade, if the views of my hon. friend were carried out. As regards the Bill before the House, I am strongly of the opinion that the action of the present Government is very proper. The rights of the City Passenger Railway Company, by charter from the Government of Nova Scotia were wrongly interfered with, and when the Act of 1875 was passed here, it was well understood that if this Company's rights were prejudiced by it, they would have recourse against the Government. I think the Government are only acting fairly towards Mr. O'Brien, whose rights were supposed to be preserved, but which rights have been sadly interfered with by the legislation of 1875, that was set up in defence of his action to recover damages. This is not a question of land damages—but simply an easement or right of way by charter to the Company.

Hon. Mr. POWER—I think the hon. gentleman from Amherst has placed the matter in an exceedingly incorrect way before the House. The impression that would be conveyed by his remarks, was that this company had no redress; that

they had no means of recovering damages for any injury that they had sustained by the extention of the Intercolonial Railway into Halifax. That is altogether incorrect, as they had the same means of recovering damages that all the private owners of lands and franchises along the extension had. The only effect of the Act of 1875 was to place those persons under the Public Works Act and the Act respecting the Intercolonial Railway, and those Acts provided a certain tribunal and procedure for persons who sought to recover damages.

Hon. Mr. MILLER—Damages for what?

Hon. Mr. POWER—Damages for lands taken or franchise taken.

Hon. Mr. MILLER—There was no land taken in this case.

Hon. Mr. POWER—If no lands or franchises were taken, then there is no claim. If the Company were damaged in any way, they had a right, under the Intercolonial Railway Act, to recover damages in the manner prescribed under that Act and the Public Works Act. Private individuals, whose lands were expropriated, did avail themselves of the means provided by the general statute, and recovered damages to a large amount against the Government. I think for the right of way through the City of Halifax, the Government had to pay a quarter of a million of dollars. Mr. O'Brien, or the company which he represented, might have proceeded under that Act, and recovered damages and received justice, but justice was not what the Company wanted, as they had lost very little—practically almost nothing—and they did not wish to avail themselves of the tribunal provided under the general Act. They were allowed by the Government to present their petition of right to the Supreme Court, where they failed to receive anything. It was said by my hon. colleague that the Company had been continuously violating the spirit of their charter for many years; but under the provisions of this Bill the probabilities are that the public are obliged to pay a very large sum of money for something that is comparatively valueless. It seems to me that those who seek for equity should do equitably themselves, and this Company should carry out the conditions on which they obtained their charter. I would suggest that the Bill be referred to the Railway Committee to be amended in the way suggested by my hon. colleague from Halifax.

Hon. Mr. DICKEY—I am surprised at my hon friend, for he is a lawyer, and ought to know better, yet he tells us that the Act gave a remedy for lands expropriated, and that under that Act this man could have a remedy. Surely, the hon. gentleman knows that the right the Company had through the streets of Halifax was but an easement. It has been said that there was only an interruption of traffic on the tramway for a day or two, and that the easement was not interfered with. The easement was interfered with for a time, but I am not prepared to say what damages Mr. O'Brien or the Company should get for that, if they should get any, but I say this: that the Company have a right to be heard. But my hon. friend says that they could have been heard, because the Public Works Act gave a remedy to people from whom lands were taken. This was not taking land; it was interfering with franchise or easement. My hon. friend surely knows, however, that the judges of the Supreme Court are the best authority as to what that Act gave, and they decided that the law gave them no remedy, and therefore they were out of court.

Hon. Mr. POWER—No, they did not.

Hon. Mr. DICKEY—Surely my hon. friend does not dispute the fact they brought proceedings and failed, in consequence of the strict letter of the Act, although the leader of the Government, at the time of the passing of the measure, had assured the petitioners that their rights would not be interfered with.

The Bill was read the second time.

Hon. Mr. POWER suggested that the Bill should be referred to the Railway Committee, as it was really a private Bill.

Hon. Mr. AIKINS preferred that it should be referred to Committee of the

Whole, when it could be discussed by every member of the House.

The Bill was referred to the Committee of the Whole for to-morrow.

CORRUPT PRACTICES AT ELECTIONS BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (32) "An Act to provide for more effectual inquiry into the existence of corrupt practices at elections of members of the House of Commons."

He said: This Bill consists of three clauses, and it has reference particularly to corrupt practices at elections of members for the House of Commons. Under the Act 39 Vic., Cap. 10, the third clause makes provision that if no action has been taken under the Controverted Elections Act, a petition, if signed by twenty-five electors, may be presented to the House of Commons. This Bill makes provision that that petition must be accompanied by the sum of one thousand dollars prior to its being considered. The second clause provides that if it is found that the allegations contained in that petition are unfounded, the petitioners have to pay the costs—the costs are to be taken out of the deposit of one thousand should dollars and the balance left, if any be left, is to be handed to the petitioners. The third clause provides that if the allegations are true the money shall be handed back to the petitioners, As this Bill relates to the House of Commons, and as the object is to prevent petitions from being presented for political or party reasons, I trust the House will have no objectiou to it.

MARINE ELECTRIC TELEGRAPHS BILL.

SECOND READING.

Hon. Mr. MACDONALD moved the second reading of Bill (44) "An Act to repeal the Act passed in the thirty-eighth year of Her Majesty's reign, intituled: 'An Act to regulate the construction and maintenance of Marine Electric Telegraphs.'"

He said: When the Act. now sought to be repealed by the Bill before the House, was passed in 1875, I gave it my support, believing by the representations made, that it would be a public benefit, and through it we would receive the advantage of cheap telegraphy. I was deceived, as many hon. gentlemen in this House were deceived, into voting for that Bill on the representations then made by the promoters. No doubt the intention of that Act was to force the Anglo-American Company into sharing its privileges with the Direct Cable Company, and it also gave certain benefits to the Direct Cable Company, but those objects sought have not been attained. The Company which the Act was supposed to benefit failed to take any particular advantage of its provisions, and if we had cheaper telegraphy through it, it was only for a short time. The Act is a dead letter; it is inoperative, and the advantages that were supposed would be derived from it have never been realized. The Company which sought this legislation went into liquidation in 1876, and the Company which rose from its ashes, instead of finding this Act a benefit, have found it to be a drawback, should they land a cable on the shores of the Dominion, as they intended to do. They, therefore, come to Parliament and ask for the repeal of this Act so as to have them free and untramelled as they were before the law was passed in 1875. I think the House will agree with me that cable companies deserve the sympathy and assistance of Parliament, and that they should be free to carry on their business with as few restrictions as possible.

Hon. Mr. MILLER—I do not intend to take any active part in opposition to this Bill, but I am very much surprised, indeed, to see the indifference with which the leader of the Opposition looks at the repeal of what he once considered a very important public measure.

Hon. Mr. SCOTT—It was not a Government measure.

Hon. Mr. MILLER—Yes, it was, and one, too, on which the strength of the late Government, both in the House of Commons and in this House, was exerted, and even strained, to secure its passage. Does the hon. gentleman really forget that he, as leader of the Government, in

this House in 1875, took charge of the Bill relating to Marine and Electric Telegraphs, and fought it through at every stage—a fight that was so very bitter and prolonged, that my hon. friend should easily remember the struggle.

Hon. Mr. SCOTT—I took charge of the Bill here, but it was not a member of the Government who took charge of it in the other House.

Hon. Mr. MILLER—The hon. gentleman is altogether wrong. In 1874 it is true, a Bill something of the same character was introduced at the instance of the Direct Cable Company, and that Bill was vetoed at Home for reasons which I need not now detail. In the following session the Government brought in a Bill as a government measure, declaring that they believed the interests involved were too important to be treated as a private Bill, and in that way the Act which it is now sought to repeal was brought before this House. When that Bill was before the Legislature I took a very warm interest in it. I believed the object of the Bill was a good one, I believe so still, as I have seen nothing to change the opinion I then formed. I freely admit that the Bill has not accomplished the object which it was intended to promote, and I admit also that the House and the country were to a large extent deceived by the subsequent action of the Direct Cable Company. Had that Company acted in good faith towards Parliament, and realized the expectations formed upon its pledges not to amalgamate with the Anglo-American Company, but to establish an independent line of communication across the Atlantic, the Act might have been made operative, and the monopoly of the Anglo-American Company could have been rendered harmless, greatly to the advantage of the public. Whether the managers of the Direct Cable Company had to succumb to the force of circumstances, when a large portion of their stock got into the hands of people who were inimical to the object for which they were organized; or whether they were over-ridden by unfair means, and an amalgamation was forced upon them, I don't stop to inquire. I believe, however, there was an honest minority in thatoCmpany whose desire was to carry out in good faith the representations they had made to Parliament when the Bill was before the House. I was very glad to see when the amalgamation of the Direct Cable Company did take place, that the Government of the day gave notice that they considered it a violation of faith and of the Act of Parliament under which they got their charter. I was also glad to see that the Government of the United States also entered a protest against the triumph of the monopolists. Those two Governments acted in the interests of cheap telegraphy, and in the interests of progress and civilization, which are involved in the destruction of every monopoly in regard to telegraphic communication. I assume from the fact that the Government permitted this Bill to go through the House of Commons, and also from the further fact, that the Government intend to give it their support in this House, and from the indifference of the hon. gentleman who promoted the Bill in 1875, that this measure will carry, but I have no reason to change my opinion as to the value of the Act of 1875, which I entertained at the time of its passage, and I consider it is now a great mistake to repeal a law that may at no distant day be wisely and beneficially applied in the interest of the public. The repeal of the law is in itself a convincing proof of the great, I will not say improper, influence of this gigantic monopoly.

Hon. Mr. MACPHERSON—I rather expected that the ex-Secretary of State, (Mr. Scott), would have explained his views to the House on this question. At the time that the Bill was passed some years ago, it was met with a good deal of opposition, and there was considerable warmth exhibited on both sides. It was at a time when I reposed a good deal of confidence in the late Government. I supported the Bill and my hon. friend the ex-Secretary of State, and, having trusted to his lead on that occasion, I should like to have had his opinion to-day, but he does not seem disposed to give it to the House.

Hon. Mr. SCOTT—I rarely speak except for some purpose, and I do not feel that my speaking on this occasion would be attended with any beneficial results, so that my silence now would be golden.

My views would be very much an echo of those expressed by my hon. friend from Richmond, (Mr. Miller). The legislation of the past has been defeated by the Stock Exchange in London. They seem to be superior to any Act of Parliament that we could pass. Any effort of mine would be feeble to stay what I conceive is inevitable.

The Bill was read the second time.

FELONIES AND MISDEMEANORS BILL.

THIRD READING.

Pursuant to order, the House went into Committee of the Whole on Bill (75) "An Act to amend 'An Act for the more speedy trial in certain cases, of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec,' and the Act respecting summary convictions before Justices of the Peace."

Hon. Mr. CAMPBELL said that his hon. friend from Richmond, at the second reading of this Bill, had called attention to the confused manner in which it was drawn. He, (Mr. Campbell), agreed with him. He had conferred with the Minister of Justice on the subject, and had been informed that it was intended to introduce a general measure on this subject, which would make the law more clear and distinct.

Hon. Mr. HAVILAND, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

TRURO AND PICTOU RAILWAY BILL.

IN COMMITTEE.

Hon. Mr. CAMPBELL moved that the House go into Committee of the Whole on Bill (58) "An Act to amend 'The Truro and Pictou Railway Transfer Act, 1877.'"

Hon. Mr. WARK enquired if, in the arrangement with this Company, care had been taken to protect the rights of parties who had claims on them? A petition had been presented this session from one of the contractors asking that his interests be protected in any legislation which might take place on this subject, because the Compauy still owed him a certain sum of money.

Hon. Mr. CAMPBELL said that the arrangement was between this Government, the contractors, and the Government of Nova Scotia.

Hon. Mr. WARK—This is a sub-contractor.

Hon. Mr. MILLER—Then we have nothing to do with him.

In the Committee :

Hon. Mr. CAMPBELL—When this Bill was up for the second reading, the hon. Senator from Pictou called attention to the fact that some land, which he thought was in excess of the necessities of the Company, was included in their property by this Bill; also to the fact that the custom house was built upon the land, and, he asked what became of the ferry steamer. It was my duty to enqnire into the circumstances, and I did so. I find that there is is no land given to the Company by the Bill, nor by the Government in any way, but they do not interfere with the rights the Company have when the Bill passes. The Minister of Public Works is of opinion that the land to which the hon. gentleman refers, does not pass under the provisions of this Bill, and does not belong to the Railway Company, and therefore the custom house is not affected, and the ferry steamer does not go with the road to the Company.

On the 7th clause :

Hon. Mr. POWER thought that it would be well to define what property did pass to the Company.

Hon. Mr. CAMPBELL said that this Bill was to sanction an agreement entered into between the Government of Nova Scotia, the contractors, and the Dominion Government, and could not be altered.

Hon. Mr. MILLER said that the definition would be unnecessary, as the pro-

perty was sufficiently defined by the original Act which this was amending.

Hon. Mr. DICKSON, from the committee, reported the Bill with amendments, which were concurred in.

A PERSONAL EXPLANATION.

Hon. Mr. DICKEY—I wish to claim indulgence of the House to make a personal explanation. A Bill respecting Contagious Diseases of Animals was on the orders of the day for third reading yesterday, At the moment it passed that stage it happened that I was engaged by an hon. member without any reference to this Bill, examining a matter, and the talking and other causes prevented me hearing the motion as put. That must be my apology for asking the indulgence of the House to make an explanation. I fear that I am obliged to say I have a complaint to make against the Secretary of State, who had charge of that Bill. The House will recollect that on a former occasion I took strong ground against the constitutionality of certain sections of that Bill. The measure had been for several days on the order paper and was passed over, before it was sent to Committee of the Whole. It was on the orders of the day yesterday and was passed by, and the Bill that was subsequent to it was read. Seeing that this Contagious Diseases Bill was not coming before the House, and having no particular interest in the measures which followed, I absented myself. My hon. friend from Ashcroft (Mr. Cornwall) who had given notice that he wished to amend the Bill, was not in the House for the same reason. Yet, I understand that after the House had gone through the orders of the day, my hon. friend, the Secretary of State, undertook to return to this Bill, and ask that the House should be put into a Committee, and my hon. friend from Halifax, (Mr. Power), who opposed the Bill was put into the chair, and so his mouth was shut. I am quite sure that there was no intentional discourtesy to myself, but I say that it was an irregularity in the business of the House. My hon. friend, knowing that notice had been given that an amendment was to be moved by the hon. Senator from Ashcroft, and that serious opposition had been offered to particular clauses which could only be discussed in Committee, took a course which has had the effect of depriving me of an opportunity of submitting the amendment which I had intended to move—an amendment to provide that nothing in this Act should affect the legislation of the Province of Nova Scotia, nor any regulations made by virtue of that legislation. It appeared to me that this was an amendment which my hon friend might possibly accept, because I did not feel like going as far as my feelings would have induced me to go, in insisting that the Province of Nova Scotia should be excepted from the operation of the measure in the same way as my hon. friend from Ashcroft desired to except British Columbia. I must say that going into Committee yesterday was a surprise to me and a good many other people, and I thought it my duty to call the attention of my hon. friend, the Secretary of State, to the effect of the course which he has pursued.

Hon. Mr. AIKINS—I regret very much that my hon. friend feels aggrieved at the unjust course which he thinks I have pursued in taking the measure to which he has referred out of its place. If the hon. Senator will refer to our minutes of the 29th of April, he will find that all the Bills which were read yesterday, prior to mine, stand before the Bill that I had charge of. They were out of their place on the Orders of the Day yesterday, and the Speaker, by his order, put them in their place. That is the only reason why my Bill came in that order. I was not aware that the hon. gentleman intended to move an amendment. Had I been aware of it, I should have asked the House to postpone the consideration of the Bill. I certainly had no intention to mislead the House or the Committee. In reference to my hon. friend from Ashcroft, (Mr. Cornwall), who also was out of the House yesterday when the Bill was referred to Committee, and who had taken exception to the Bill at a former stage, I stated that I had had a conversation with him, the result of which was that he decided not to press his objection, and that I was at liberty to make the statement to the House. If the hon. gentleman, (Mr. Dickey), had any amendment to propose he could have submitted it to-day when the Bill was before

the House for its third reading. I do not think that I am open to the charge of having deceived him or the House.

Hon. Mr. DICKEY—The notice appeared among the Orders of the Day of the 29th of April, in the same position as it did yesterday, and I could not have been expected to know that they did not appear in their proper order. As to the directions of the Speaker, I am bound to accept the hon. gentleman's statement that they were given, but I heard none.

The matter then dropped.

BUILDING SOCIETIES IN QUEBEC BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. MACPHERSON, from the Committee on Banking and Commerce, to whom was referred Bill (L) "An Act to provide for the liquidation of the affairs of building societies in the Province of Quebec," reported that they had gone through the said Bill, and had directed him to report the same with several amendments. He called the attention of the Receiver General to the important character of this Bill. Some members of the Committee had expressed the opinion that it should emanate from the Government, or, at all events, receive their careful attention.

Hon. Mr. BELLEROSE said that he had drawn the attention of the Government, five or six years ago, when he was a member of the House of Commons, to the difficulties with which those societies were surrounded, and the reply was that the Government had nothing to do with them. This was his reason for introducing the Bill himself and he thought that it should be allowed to pass.

Hon. Mr. MILLER said that while the Committee thought that a Bill of this character should be brought under the cognizance of the Government, it was not because they had any hostile feeling towards the measure, because they felt that it might be very serviceable.

Ordered that the amendments be taken into consideration to-morrow.

BILLS INTRODUCED.

The following Bills from the House of Commons were introduced and read the first time :

Bill (30) "An Act to amend the Acts incorporating the Coteau and Province Line Railway and Bridge Company, and the Montreal and City of Ottawa Junction Railway Company, and amending Acts, and to amalgamate the said Companies."

Bill (82) "An Act respecting Trade Marks and Industrial Designs."

THE CAMPBELL DIVORCE CASE.

THE PROTEST.

Hon. Mr. DICKEY—I wish to call the attention of the House to the subject of the Protest that has been placed upon the record in the Minutes of Monday last. The rule is as follows:

"35. Every protest is subject to the control of the Senate, and may neither be altered nor withdrawn without the consent of the Senate; nor can a Senator absent when the question is put, be admitted to protest."

With regard to the first part of the rule, I have to invite the attention of the House and of the signatories of the protest to the fact that the first reason for dissenting is as follows :

"Because the Bill is framed in an unusual and irregular manner, contrary to the rules of good legislation, and includes (amonget other irregularities) in the preamble the recital of many facts and matters irrelevant to the matters of the Bill, and to prove which no attempt whatever has been made."

Now that is a reflection upon the Committee, because its report is, rightly or wrongly, that the facts of the preamble were proven, and, speaking in the hearing of members of that Committee, they will agree with me that I am justified in stating that the facts alleged in the preamble were taken up in their order. There were six or seven paragraphs on which proof was required, and proof of every fact was given. I am not surprised therefore to find that four of the signatories to the protest, including the leader of this House, have declined to adopt that first paragraph. If the House considers it no reflection on the committee, of course

I have nothing more to say, but as the protest is under the control of the House, I thought it right, in defence of the Committee, of which I was chairman, to state that the first paragraph of the protest, is not correct. Another point to which I wish to call the attention of the House, is, that an hon. member, who was not present when the protest was made, has signed it. On reference to the Minutes, I find that the name of the hon. Mr. Guevrement does not appear in the division which took place.

Hon. Mr. CAMPBELL—I have no remark to make, unless my hon. friend submits some motion to the House.

Hon. Mr. DICKEY—Of course, if I were to make a motion, a notice would have been necessary. I think it is quite sufficient for me to call the attention of the hon. Senator to whom I have alluded, as having improperly signed the protest, and of the House, to the fact that he has violated one of our rules, and I leave it to himself to ask that his name be struck out.

Hon. Mr. GUEVREMONT, with the leave of the House, withdrew his name from the protest entered in the Clerk's Book, against the third reading of the Bill, intituled "An Act for the relief of Eliza Maria Campbell."

The House adjourned at 5 o'clock.

THE SENATE.

Friday, May 2nd, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine procedings.

THE TARIFF.

MOTION FOR A RETURN.

Hon. Mr. SCOTT moved:

"That an humble address be presented to His Excellency the Governor-General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all Orders in Council on the subject of the new tariff, and the report of the hon. the Minister of Finance, showing the probable discrimination and effect upon imports coming from Great Britain, Ireland and the United States."

He said: I am prompted to move this address in consequence of having observed in the newspapers yesterday the following cable despatch from London:—

LONDON, April 29.—A despatch from the Marquis of Lorne is published, in which he justifies the Dominion protective tariff on the ground that the action of the United States is invariably hostile to Canada on all matters relating to tariffs, and that the manufacturers in the United States can disorganize and destroy any special Canadian industry by combining to flood the Canadian market with similar products sold below their actual value. The absence of duty thus has the same effect as that produced by a Government bounty.

The Canadian Minister of Finance appends a memorandum, saying that if the tariff materially alters the volume of trade with Great Britain, it must be on the side of increase and that in several branches this result will certainly follow.

It is well known that despatches of that nature, which bear upon the public policy of the Government, should be laid upon the table at the instance of any member of either House. I assume that this principle cannot be gainsaid. The only exceptions are when despatches are of a private and confidential nature, which cannot be the case in this instance, as they have been given to the English public, the intention evidently being to correct, from the standpoint of the Government, the belief which prevails in the mother country, that the new tariff discriminates against the English people. There is also this rule, which has been invariably observed, that where a despatch has been sent to the Imperial Government, it is not usual to move for a copy of it, nor is it etiquette or courtesy for the Government to bring it down, until it has reached its destination. The very fact of the despatch in this case being published in the press is the very best proof that it has been received by the Imperial Government. I may refer to a discussion which has arisen in the Colony of Victoria, Australia, on a question similar to this. A memorandum had been drawn up by Sir Geo. F. Bowen, the Governor of the colony, acting, of course, in concert with his Ministers, which the Legislative Council desired to know the contents of. They moved for a

copy of the memorandum, and the Governor declined to produce it. They then petitioned the Governor, setting forth that Parliament was entitled to such documents. His answer was the moment the Imperial Government received the document a copy of it would be laid on the table. Sir Geo. Bowen, on the 11th of April 1878, sent despatch in which he discussed that subject. In his answer to the Legislative Council he makes use of these words:—

"With regard to the Chief Secretary's memorandum, to which you refer, I assure you that it will always afford me pleasure to carry out the wishes of either House of the Victorian Parliament, so far as my duty may permit."

"But it is a general and reasonable rule of the public service that documents forwarded to the Imperial Government should not be published until they shall have been received and acknowledged by the Secretary of State.

And in his despatch to Sir Michael Hicks-Beach he says:—

"It may be added that the Assembly did not ask for the premature production of the memorandum in question although the House would have had the same right to do so as the Council; and that directly I learned by telegraph that the memorandum had been received and considered by you, copies of it were presented to both Houses of Parliament."

That is clearly a case analogous to this one. This despatch has been received by the Imperial Government and has been, no doubt in accordance with suggestions accompanying it, given to the public through the press. I think it is of the highest importance, in discussing the tariff here, that we should learn the contents of this paper, and the memorandum of the Minister of Finance, and should be able to estimate how far, in our judgment, the views therein expressed are in accordance with those we may ourselves entertain. It is a very important point how the tariff is to affect the United States and Great Britain. It cannot be pretended that this despatch is in any way personal to the Governor-General. It no doubt embodies a minute of council based upon the report of the Minister of Finance. I hope that my hon. friend will see no difficulty in the way of bringing this paper down at an early day, and that we may be in a position to consider it in connection with the tariff when it comes to this Chamber.

Hon. Mr. CAMPBELL — Attention was drawn to this matter in another place, and the Premier said that a cable despatch should be sent to the Imperial Government to ascertain whether the statement was correct or not, and that if it had been communicated to the public in England, it would be brought down here at once. I can only repeat here what the Premier stated elsewhere.

Hon. Mr. MILLER—Otherwise, as stated by the hon. Senator from Ottawa, it could not be given until the Imperial Government officially acknowledged the receipt of it.

Hon. Mr. SCOTT—In the case I have cited, the Governor did not wait for a formal acknowledgement. He says: "Directly I learned by telegraph that the memorandum had been received and considered by you, copies of it were presented to both Houses of Parliament."

Hon. Mr. MILLER—How learned? Directly from the Colonial Office.

Hon. Mr. MACPHERSON—In another place the hon gentleman, (Mr. Scott), read "received and acknowleged."

Hon. Mr. SCOTT—I give my hon. friend credit for not assuming that it was feloniously taken from the Colonial Office.

Hon. Mr. CAMPBELL—What more can we say than that we will bring it down as soon as we can?

Hon. Mr. MILLER—I still doubt whether the Government would be justified in producing these papers until they are regularly acknowledged by the Colonial Office. That is the well understood rule. In this case, however, it seems that whatever the document was, a portion of it, or the purport of it, has got into the English press. Of course, it is rather unusual that information of that kind should get before the English public sooner than before the Canadian public. I can understand, therefore, that the Government should send a telegram to ascertain what information has been given to the public in England, and that no more should be given to Parliament here until there is a formal acknowledgment of the receipt of the despatch from this Govern-

ment. After that, it is a matter within the discretion of the Government to say whether it should be given to Parliament or not.

Hon. Mr. SCOTT—I do not agree with the hon. gentleman. I do not think that a document in any way affecting the public of Canada, should be withheld from Parliament when action has been taken upon it. If the hon. gentleman is disposed to controvert the fact, I can give him any number of authorities for my statement.

Hon. Mr. MACPHERSON—I should be very glad to see the despatch as soon as it can be laid before the House. At the same time I see the propriety of the Government acting in the way the Receiver General says they will act. It was only very recently, and in a matter affecting Canada, that the statement was made by a leading newspaper in this country, that an article had appeared in the London *Times* inconsistent with an article which had appeared in its columns on the same subject a short time before; but, as I have been informed, when the English mail arrived it was found that the second article, which had been adduced as indicating a change of opinion in the *Times*, was not a leading article, but a letter from some correspondent.

Hon. Mr. SCOTT—That is not a parallel case.

Han. Mr. MACPHERSON—I think that it is. It shows the necessity of caution, and of not taking a cablegram to the newspapers as conclusive evidence that this despatch has been published in the English press.

Hon. Mr. CAMPBELL—It shows this: that my hon. friend, (Mr. Scott), cannot assume that what he has read to-day is any proof that such a despatch appeared in the English papers. I can mention another case in which the newspapers published a document purporting to be a copy of the agreement drawn up at the Berlin Conference, and which turned out to be some garbled statement which had got into the press; so you cannot always assume that what appears in the newspapers, is accurate. The Government are quite frank in the matter. As soon as they can ascertain what has been communicated to the press by the Colonial Office, they will produce it here. I think the view expressed by the hon. Senator from Richmond is quite correct; if we folllowed the strictly regular course, we should communicate to England not by cable, but by mail, and wait until we received a reply by cable from the Colonial Office. But we are more ready than that; we send a cable and await an answer.

Hon. Mr. SCOTT—Has my hon. friend sent the cable?

Hon. Mr. CAMPBELL—I have not sent a despatch myself, but I believe that one has been sent. If this motion is agreed to, it must be on the understanding that if anything can be brought down it will be when we receive a reply to our despatch. It may turn out, as my hon. friend from Richmond suggests, that it is only some extract from the memorandum that has found its way into the public prints.

The motion was agreed to.

TRURO AND PICTOU RAILWAY BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (58) "An Act to amend 'The Truro and Pictou Railway Transfer Act, 1877.'"

The Bill was read the third time and passed.

TEMPERANCE ACT, 1878, AMENDMENT BILL.

IN COMMITTEE.

Pursuant to order, the House went into Committee of the Whole on Bill (70) "An Act to remove doubts as to the true intent and meaning of certain provisions of 'The Canada Temperance Act, 1878.'"

Hon. Mr. VIDAL suggested that the last clause of the Bill required an amendment. It contained no provision for noti-

fying the public officially of the day when the by-law would really be repealed. The Ontario Government would have no official notification when they were to resume the issue of licenses.

Hon. Mr. SCOTT said that the licenses were issued by the municipal authorities, and, therefore, he did not think that there would be any practical embarrassment. The Bill would only apply to one or two cases, and he supposed that it was specially intended for Prince Edward County, Ontario.

Hon. Mr. AIKINS said that provision should at all events be made for communicating the results of these elections to the local governments.

Hon. Mr. SCOTT concurred in the opinion that some such amendment should be made, and asked that the Committee rise and report progress.

Hon. Mr. MCLELAN, from the Committee, reported that they had made some progress with the Bill, and asked leave to sit again.

Hon. Mr. ALEXANDER gave notice that he would propose the following amendment to the Bill:

"If the Petition, whether for putting the Act in force, or for repealing any By-law for putting the Act in force, fails to receive the approval of a majority of the electors, all expenses connected therewith shall be defrayed by the Petitioners, who shall make a sufficient deposit with the Treasurer of the Municipality to meet the same."

Hon. Mr. SCOTT said that he could not accept the amendment.

Hon. Mr. ALEXANDER said that he had been requested by a large number of gentlemen in the west to propose this amendment to the Bill.

Hon. Mr. SCOTT said that the amendment was in no sense germane to the Bill. It proposed to attack the Act of last session in a most important and vital part. He asked the hon. gentleman to withdraw it. If it should carry, he, (Mr. Scott), would ask permission to withdraw the Bill.

Hon. Mr. ALEXANDER said that those who had asked him to present this amendment to the House considered it was a most important omission from the Act of last session. Every hon. gentleman desired to see the cause of temperance prosper, but, at the same time, the House did not wish to see the temperance people causing irritation and throwing expense on the country without doing any good. The hon. gentleman could not object to the House discussing the matter.

Hon. Mr. KAULBACH rose to inform the hon. gentleman (Mr. Alexander) that the omission was not an oversight. He (Mr. Kaulbach) had himself moved that such a clause be added to the measure, but finding that the House was opposed to it, he had not pressed it.

Hon. Mr. BUREAU thought the amendment was out of order as it proposed to impose taxes on the people.

The further consideration of the Bill was postponed until Monday next.

CORRUPT PRACTICES AT ELECTIONS BILL.

THIRD READING.

Pursuant to order, the House went into Committee of the Whole on Bill (32) "An Act to provide for more effectual inquiry into the existence of corrupt practices at elections of members of the House of Commons."

Hon. Mr. DICKSON, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

MARINE ELECTRIC TELEGRAPHS BILL.

THIRD READING.

Pursuant to order the House went into Committee of the Whole on Bill (44) "An Act to repeal the Act passed in the thirty-eighth year of Her Majesty's reign intituled 'An Act to regulate the construction and maintenance of Marine Electric Telegraphs.'"

Hon. Mr. ALLAN, from the Committee, reported the Bill without amendment.

Hon. Mr. MACDONALD moved the third reading of the Bill.

The Bill was read the third time.

Hon. Mr. MACDONALD moved that the Bill do now pass.

Hon. Mr. MILLER—Has not my hon. friend, (Mr. Scott), one parting word to say?

Hon. Mr. SCOTT—All I can say is that I think it is a great matter of regret that this Act of Parliament is to be removed from our Statute Book. It virtually says to the Anglo American Cable Company, "We are content that you shall exercise a monopoly of cable telegraphy." I feel, however, great embarrassment in asking hon. gentlemen to oppose this Bill, for the reason we all know that when the Act of Parliament which this Bill proposes to repeal was placed on the statute book, it was only after a very warm debate. It was only carried after all the power—I confess not a very strong power—that the Government of the day could exercise in this Chamber. When a law which, as my hon. friend from Richmond has remarked, was in the interest of low tariffs, and civilization was only carried after all those efforts, I felt that when this Bill to repeal it was introduced openly and ostensibly with the sanction of the Government, it would be idle for me to ask the House to throw it out. When the late Government found that the Company in whose interests that Act of Parliament had been placed on the Statute book, had practically sold their stock, in defiance of the legislation of this country, to the other Company, they felt that it would have been improper for them to intervene and confiscate any privilege that the Anglo-American Company claims, while no other Company was prepared to lay a cable between this country and Europe. I have no doubt that the present Government feel the same way, but I do think that it would have been a useful lever for this country to have on the statute book—an Act by which we have the right at any time to lay a cable across the Atlantic on the conditions set forth therein. I think that it would have been a very proper lever to have had to keep down rates. But by this Bill we say practically to this Company "we relieve you from any embarassment; we do not want an Act of Parliament in Canada giving us power to charter a company to lay a cable across the Atlantic." It means an open declaration on the part of this country that we favor a monopoly in telegraphy by the Anglo-American Company. I say that this is not an enviable position for the Parliament of Canada to take before the world. It is well known that the feeling in the United States is the same as in Canada—that it would be in the interest of this continent to have another cable. When this Company deceived them, as it did us, they took the same action as we did; but they felt, no doubt, as we did, that it was not time to put in force the powers they possessed against the Company. It will surprise the people of the United States when they learn that Canada has openly stated to these monopolists that their stock shall not be affected by the Act of Parliament on our Statute books, which gives us the right to charter another company to lay a cable across the Atlantic. It is a stock exchange job and nothing else.

Hon. Mr. READ—So was the other.

Hon. Mr. SCOTT—It was not; it was a live enterprise that raised considerably over a million of dollars, which had a fleet of vessels on the Atlantic, and which effectually carried out and completed the project that it undertook. It is the very fact that it was not a job that induced the holders of Anglo-American stock to offer large amounts to buy up their shares, and thus control the Board of Directors of the Direct Cable Company. I am merely stating what every hon. gentleman is acquainted with, and Mr. Pender and those who sided with him took very arbitrary ground. Everybody said, "It is impossible that they can carry it out; they cant't defy an Act of Parliament." But still they did defy it, and, not only that, but they come here and state, "Your Act of Parliament affects our stock; remove it and our stock goes up fifteen or twenty per cent. in Eng-

land." Does it not seem, when you come to analyze it, a monstrous proposition to call upon the Parliament of Canada to help the stock of this company in the English market? This Bill is to repeal a law upon which a private company might get a charter to lay a cable. We refuse to nobody a charter for any legitimate object. Any great enterprise meets with favor at our hands, but when you come to giving a charter to prevent this monopoly continuing, they say, "No, we will not allow these monopolists to tremble for their shares; we desire that their stock shall go up to the highest figures that they can reach."

Hon. Mr. AIKINS—How does the hon. gentleman come to consider this a mere stock-jobbing operation?

Hon. Mr. SCOTT—Because it is a proposition to repeal just that sort of legislation which this Parliament has been in the habit of granting. We put on our statute books an Act declaring that a charter may be obtained for any laudable enterprise. We have been laboring for years to make it possible for any enterprising body of men to form a company. We believe that this principle should apply to laying cables across the Atlantic, and we practically stated to all the world, "Under certain circumstances you may come into Canada, and we will give you a charter to lay a cable, and, inasmuch as the Anglo American Company have had special rights which they never obtained from this Parliament, and which they have no right to enjoy except by the sufferance of Canada, we will give you advantages over them unless they are willing to come in and hold their franchise on the same basis as yours." That is a pertectly fair proposition, and it met with the approval of the people of Canada. Under these circumstances the Direct Cable Company was chartered and went into operation, and was in successful operation for some considerable time, with bright hopes for the future. It is known that it at once affected the Anglo American Company seriously, and that they bought up their opponent's stock We could not control that: it is done every day. Until another company was ready to take their place we were not prepared to put the law in force against th Anglo-American Company. I challenge any hon. gentleman to justify this measure on sound principles of government—I was going to say morality, but that is perhaps too strong a word—on which we carry on legislation in this country. I ask is it right or proper that we should, in the interest of a single enterprise, remove from our statute books an Act of Parliament which enabled us to give to any Company a charter to be a competing enterprise with the Anglo-American Company? That is the whole point of the case.

Hon. Mr. AIKINS—I would like to ask the hon. gentleman if it is not a fact that a greater monopoly exists now than before the passage of that Act?

Hon. Mr. SCOTT—Of course there is. Is not that a part of my argument? Did I not admit that they actually went in and in defiance of us bought up their opponents stock.

Hon. Mr. AIKINS—Then one of the results of your Act was stock-jobbing?

Hon. Mr. SCOTT—We cannot control stock-jobbers, but we should not aid them. We struck at the monopoly held by the Anglo-American Company. They said, "we will checkmate you in another way. We are wealthy men; we can afford to go in and buy up the direct Cable Company's stock at a higher rate than its value in the hands of the holders, because we have a large interest in the Anglo-Americen, and we want to kill off opposition." The result was, when the meeting of the Direct Cable Co. was called, the few original holders of stock found themselves out-voted, and that the Anglo-American Co. controlled the whole thing. The Anglo-American Co., by a natural process, absorbed the Direct Cable Co., and practically they control the two lines now. Under the circumstances, I say it is declaring that we are not disposed hereafter to allow the ordinary facilities to any company to compete with the Anglo-American Co., and in order that they may feel specially comfortable, we remove from our statute book an Act of Parliament that must be disturbing—to use a mild word—to them, because, so long as it remains there, enterprising American or English capitalists might at

any time lay another cable. My hon. friend (Mr. Aikins), smiles, but that is the effect of it.

Hon. Mr. AIKINS—I smile for the reason that if the hon. gentleman wished to offer any opposition to the Bill, he should have done it at an earlier stage. The Bill has passed the third reading.

Hon. Mr. SCOTT—I would not have spoken now, but some hon. gentleman thought it extraordinary that I should remain silent after the very active part I took in placing that Act on the statute book; but I knew that Parliament was committed to the repeal of the law, and, therefore, I did not care to raise any opposition to it. I have been asked why do you sit silently by, and allow this law to be repealed? That is why these opinions have been forced from me; but they are my honest opinions, and if I chose to go on and discuss this matter further, I could prove that they are opinions founded upon good sound sense, and facts that are obvious to all.

Hon. Mr. KAULBACH—My hon. friend's contention is this—that we should use the Anglo-American Company until such time as we thought proper to dispense with them. I think in these matters that we cannot legislate against monopolies. Capital and competition are the only means of preventing them.

Hon. Mr. HOPE—I think that the House is greatly indebted to the hon. Senator from Ottawa for the clear and able statement that he has made to the House as to the effect that this measure will have upon the interests of the country, and I really think that the further progress of the Bill should be stopped. If no other gentleman will move in the matter, I will move that the Bill be not now read the third time, but that it be read a third time this day six months.

Hon. Mr. AIKINS—It has already been read the third time.

The SPEAKER—The motion is shall the Bill pass?

Hon. Mr. MILLER—I voted on this measure in a certain way in 1875, and I see no reason to change my mind now. A large majority of this House did the same thing, and for my part I am disposed to record my views in the same way again. Before the Bill passes I ask that the yeas and nays be taken.

The SPEAKER descended from the chair, and said: The Bill is still before the House, and I desire to disabuse the mind of the hon. Senator from Ottawa, who seems to think that this measure is supported by the Government. So far as I am individually concerned, I hold the same opinions now that I had when I took an active part in passing the Act to put an end to the monopoly held by this Company. I look upon this Bill as a step back on the road of civilization. We are now establishing a monopoly for this Anglo-American Company, and I think it is a very great mistake to pursue such a course in our legislation. If it comes to a vote, I shall vote as I did before, and be consistent.

Upon the question being put whether this Bill shall pass, the House divided, and, the names being called for, they were taken down as follow:

CONTENTS:

Hon. Messrs.

Aikins,	Dumouchel,
Alexander,	Ferrier,
Allan,	Glasier,
Almon,	Hamilton (Kingston),
Archibald,	Haviland,
Armand,	Howlan,
Bellerose,	Kaulbach,
Benson,	Macdonald,
DeBoucherville,	Read,
Bourinot,	Seymour,
Bull,	Smith,
Campbell,	Stevens,
Cornwall,	Sutherland,
Dever,	Trudel and
Dickey,	Wark—30.

NON-CONTENTS:

Hon. Messrs.

Baillargeon,	Macfarlane,
Brouse,	Macpherson,
Bureau,	Miller,
Chaffers,	Montgomery,
Chapais,	Muirhead,
Christie,	Odell,
Cormier,	Paquet,
Dickson,	Pelletier,

Fabre,	Penny,
Flint,	Power,
Grant,	Pozer,
Haythorne,	Reesor,
Hope,	Scott,
Leonard,	Simpson,
McClelan (Hopewell),	Vidal and
McLelan (Londond'ry),	Wilmot (Speaker)—32.

So it passed in the negative.

QUEBEC BUILDING SOCIETIES LIQUIDATION BILL.

AMENDMENTS CONCURRED IN.

The order of the day being read "Consideration of Bill (L) 'An Act to provide for the liquidation of the affairs of Building Societies in the Province of Quebec,' as amended by the Select Committee on Banking and Commerce."

Hon. Mr. BELLEROSE moved that the amendments be concurred in.

Hon. Mr. PAQUET asked that the Bill be referred back to committee to be amended so as to except permanent building societies.

Hon. Mr. TRUDEL objected to the Bill being recommitted at such a late period of the session, as it had yet to go through the other House.

Hon. Mr. PAQUET suggested that the order should be discharged and the consideration of the Bill should be in order for Monday.

Hon. Mr. CAMPBELL—When the matter was reported from the Committee my attention was drawn to the question whether in the interests of general liquidation this Bill, which provides only for winding up building societies in one province, should pass. I have had a conversation with the Minister of Justice, and so far as the Government are concerned, we do not think that that kind of legislation is desirable. It is exceptional, and it will make it more difficult perhaps in future to pass a Bill through both Houses of Parliament which will have the effect of providing general legislation under which all joint stock companies shall be wound up. Hon. gentlemen are no doubt aware that the number of joint stock companies is increasing from day to day and week to week, so that now there are a great many of them in this country — some having business transactions all over the Dominion, and some whose business is confined to one province—some under the jurisdiction of this Parliament, and some under the jurisdiction of the Local Legislatures. A certain amount of progress has been made in legislation affecting these companies in the Province of Ontario with reference to joint stock companies doing business wholly within that Province, but I do not think that any progress has been made in legislation of this kind in any other province. It was the desire, I believe, of our predecessors to introduce a general measure for the purpose of winding up joint stock companies. Owing to the change in the Government, and the engagements which the Ministers were subjected to immediately after taking office, no measure has been prepared for the present session. But it is the intention of the Government—and I hope it will be next session—to introduce a general measure for the winding up of all kinds of joint stock companies, so far as such legislation can take place in this Parliament; and we hope to see it followed up in the Local Legislatures. This legislation affects one province, and one class of societies, and, therefore, in that kind of way I rather deprecate the passage of the measure, though it has gone so far that I shall make no effort to stay its progress in this House. I should like, if the hon. gentleman could have seen that his duty would have allowed him to withdraw the Bill, and stay the legislation where it is now. I apprehend that difficulties may perhaps be found in its becoming law during the present session of Parliament, and I trust that the House generally will believe that it is far more wise to have a general law affecting all the joint stock companies throughout the Dominion.

Hon. Mr. TRUDEL said the Bill was much needed in the Province of Quebec, and if it were defeated, it would be a matter of regret to the promoters of the measure. The hon. leader of the Government had referred to it as unusual legislation, but hon. gentlemen would remember that last session they had passed a Bill respecting Building Societies in

Quebec, and everybody knew that before Confederation special laws existed to regulate the organization and working of such companies in the different provinces, so that this Bill did not affect in any way building societies in any other province. It might be desirable that a general law should be passed for the whole Dominion, but he could not see, in the absence of such legislation, why they should deprive one Province of such a law when so many societies had asked for it. He hoped the Government would reconsider their decision—in fact he did not believe the hon. gentleman had expressed the opinion of the Government—and he hoped the House would not oppose the Bill, as he did not see how it could interfere with the passing of a general Act next session.

After some conversation the amendments were concurred in, and the Bill was ordered for a third reading on Monday.

THE COTEAU BRIDGE COMPANY'S BILL.

SECOND READING.

Hon. Mr. SCOTT moved the second reading of Bill (30) "An Act to amend the Acts incorporating the Coteau and Province Line Railway and Bridge Company, and the Montreal and City of Ottawa Junction Railway Company, and amending Acts, and to amalgamate the said Companies."

Hon. Mr. ALEXANDER objected to the second reading, as the Bill had only been distributed a short time, and members had not had an opportunity to discuss it.

Hon. Mr. SCOTT—This Bill has been more discussed, perhaps, than any other question that has been before Parliament for several weeks past. In moving the second reading I desire to make a few observations in reference to what these companies ask. On the face of it the Bill is a very harmles one, as it simply asks that the powers that Parliament has already granted to the two companies shall be given to one. These two railways combined form one continuous line, from Ottawa city, in a south-easterly direction to Coteau, where it intersects the Grand Trunk Railway; the other railway, commencing on the south side of the St. Lawrence, opposite Coteau, and continuing to the Province Line. The Coteau and Province Line Railway Company received their charter in 1872, and they were authorized by Act of Parliament to construct a railway from a point near Coteau, to the Province Line, or to the town of St. Johns, Quebec. They were also authorized to construct a bridge across the St. Lawrence. The power to carry out these provisions was vested in the Company up to the year 1877. They then came to Parliament for authority to make certain changes in their charter, and for authority, also, to extend the time for the completion of their road. Parliament granted what the Company asked, but a provision was introduced that the bridge across the St. Lawrence should be abandoned and a ferry substituted. The other Company, known as the Montreal and City of Ottawa Junction Railway Company, were incorporated in 1871, and they had authority to build a road from this city to Coteau, so that practically the two lines form one continuous line of railway from this city to the Province line near Rouse's Point. The Ottawa & Coteau Railway Co. came a second time before Parliament last year, and had certain amendments made to their charter. Amongst other powers, which their charters conferred upon them was the power to form one line. There is in the General Railway Act provision for all roads to make those connections and interchange traffic, but, as hon. gentlemen know, that is attended with very considerable inconvenience, and expense also. As the two roads formed a through line, it was thought prudent by the companies that they should be amalgamated, and form one company under one name. So far as the application for this bridge is concerned, I assume that there ought to be no opposition, as Parliament has conceded the propriety of granting to those two companies charters for the lines of railway that they respectively traverse. I may say that this is not a competing line; that it in no way conflicts or competes with any other road. If hon. gentlemen will consult the map of the Dominion they will find that while in

other parts of Canada—more particularly in the country lying west—there are lines of railway running in all directions, in the section of Ontario lying south-east of Ottawa the country is not in possession of any line of railway, and therefore it may be assumed that those counties are entitled to the ordinary privileges which are conceded to other parts of the country. I state these facts because it has been mentioned in my presence that this road is a competing line. It is not a competing line with the Grand Trunk or any other railway. That is, therefore, the position of it; each company has its own charter, recognized by Parliament, and all they ask is the privilege of uniting and forming one board which will give the amalgamated company further facilities for carrying on their operations, than if the line were worked and controlled by two boards. Up to the present session no opposition has been given to either company, but in consequence of the desire of the amalgamated company to reinstate in their charter the clause that was granted in 1872 in the charter of the Coteau and Province Line, to enable them to bridge the St. Lawrence there has been strong opposition in another place. After the subject had been discussed—and I may say the discussion mainly raised was whether in the interests of the Dominion the St. Lawrence could be bridged there—the promoters urged that no serious consequences would flow from the erection of the bridge, while the opponents of the scheme argued that the construction of bridge piers at this particular point would be a serious detriment to the navigation of the river, would drown the lands in that locality, and the consequences would be serious. Hon. gentlemen have probably read the evidence of Mr. Page and Mr. Shanly, and other gentlemen, who appear to be all equally good authority, and will see that there is great diversity of opinion on the question. After the subject had been very fully considered by this Committee, the Government, I think very properly, took upon themselves the responsibility of saying whether there should be a bridge at all or not—or if there is to be a bridge what kind of structure it shall be. The question as to whether it is wise or prudent to allow this charter to go can scarcely be considered in the negative by hon. gentlemen, inasmuch as the company ask for no powers or privileges that they do not properly possess, and I think that so far as the bridge question is concerned, it is now in the hands of the proper authority to decide that if a bridge is to be allowed, it shall be such a structure as will in no way interfere with the navigation. I suppose it is conceded that if the high bridge is built it will not interfere with the navigation of the St. Lawrence, but the whole subject is relegated to the Government who are to be the judges, and who will announce by proclamation what their decision will be. I have been thus diffuse from having it conveyed to me that it was the intention of some hon. gentlemen to oppose the Bill. I think it will scarcely be treating an enterprise of this sort with the usual consideration which is awarded to all enterprises of that character, if any opposition is made, particularly at this stage of the Bill, since the company have consented to place their main interest, this bridge, in the hands of the Government of the day. The opponents and promoters of the Bill, in another place were perfectly satisfied with this course, and I think it relieves hon. gentlemen in this House of a good deal of responsibility in the matter.

Hon. Mr. PENNY—I do not propose to offer any opposition to the Bill at this stage, but if there is a division, I shall have to vote against it, because I feel very strongly that it will give a very improper and dangerous power to the Company if it succeeds. It seems to me after the large amount of money that has been spent in making the navigation of the St. Lawrence more suitable for large vessels than it was originally, it would be a very great mistake to allow it to be interfered with by the building of this bridge. I think the evidence on that point, by Mr. Page, the Chief Engineer of the Department of Public Works, is sufficient to show the mischief that will be caused by the construction of the bridge piers; besides, the Province of Quebec has invested a large sum of money in a railway to which I think there can be no question that this will be a competing line. I only desire now to put my protest on record at the

earliest possible moment, not to impede the progress of the Bill to Committee.

Hon. Mr. BELLEROSE—For my part I believe there is not only the bridge, but there is another great objection to this Bill. While we should encourage railway building, and while we should try to prevent monopolies, I believe there is a point at which we should stop when there is a danger of companies being ruined by competition. Another reason is, while we have fine sea ports in the Doimnion we should not send our traffic out of the country through foreign ports. This road may be of some advantage to the city of Ottawa, and may be advantageous to a part of Eastern Ontario, but I believe it is a disadvantage to the country at large. The late Province of Canada expended large sums of money to assist in building the Grand Trunk Railway and the Victoria Bridge. Since then the people have imposed a heavy burden of taxation upon themselves to build the other magnificent through lines which we now have throughout the Dominion. We have enough competition; what we now require is branch lines to act as feeders to the trunk lines. As a general principle we should encourage the building of railways, but we should not legislate against the interests of the railway that has made this country what it now is. And I must say I am astonished at the position taken by the Government in this instance. The Province of Quebec has expended so large a sum of money to construct a line of railway along the north shores of the Ottawa and St. Lawrence, that its finances are now in a bad state, and it may happen very shortly that the Government will have to resort to direct taxation in order to meet ordinary expenses and interest on the public debt. The railway project for which this legislation is sought will shorten the distance from the far west to the seaboard by a few miles, and when the commerce of the country has largely increased, the time may come when the construction of this bridge will be no injury to the Dominion; but in the present condition of our trade I do not believe that this scheme is in the interests of the people of Canada. For these reasons and for some others which I may give at some future stage I intend to oppose this Bill.

Hon. Mr. CAMPBELL—When this Bill or one of these Bills was before this Branch of the Legislature, before I happened to be on the Committee to which it was referred, it was there that the suggestion was first made to strike out the clause which enabled them to bridge the St. Lawrence. Those who were then furthering the Bill—I believe they are not the same gentlemen who are promoting it now—were asked if they would take that particular clause with a proviso in it that there should be what is called a "high level bridge." They refused to accept it on those terms, and consequently the committee, who were very properly opposed to allowing them to bridge the St. Lawrence as they saw fit, struck out the clause. The Bill came back to the House, save and except the clause providing for the bridging of the St. Lawrence, and was passed. The bridge is not, by the present Bill, to be built according to the discretion of the Company; is not, in fact, to be built at all unless the Government shall be satisfied that a bridge can be built at the spot intended which shall not affect the navigation of the St. Lawrence. I quite agree with the remarks made by the hon. Senator from Halifax, (Mr. Almon), and the same objection raised by the hon. Senator from De Lanaudiere, (Mr. Bellerose), that we should do nothing to interfere with the navigation of the St. Lawrence. Providence has blessed us with that magnificent river and we should do nothing to interfere in any way with its free and entire use to all the people of this and the neighboring country. But, as this provision which I have alluded to, has been made, and it will be left to the Government to decide, on the evidence of engineers (Mr. Page among the rest) whether a bridge can be constructed over the river without interfering with navigation, and will also have the right to decide, under the terms of this Bill, as to the elevation and the plan on which it shall be built, the whole difficulty, it seems to me, which interfered with the passage of this Bill on a former occasion, is removed. I do not see any reason why it should not pass, and it be left to engineers whom the Government may employ and who will, no doubt, be men at the head of their profession, (Mr. Page included), to decide the manner in and eleva-

tion upon which, it shall be constructed and to see that it shall not interfere in any way with the navigation. At all events, it cannot interfere unless the Government, who assume the responsibility, are misled by the engineers. I apprehend that it is too late in the day to say that we should be deterred from granting, not new powers, but allowing this Company which has already obtained its powers and has been in existence, so far as its charter can give it existence, for years, to go on with the building of its road—it is too late to say that it shall not go on because of the interests of the Grand Trunk Railway. Nobody takes a greater interest in the Grand Trunk than I do, and nobody can regret, more than I do, to see this legislation which has taken place of late years inimical to its interests. I have uniformly, since its construction, been able to give, and have given, my active support to all measures introduced on its behalf, and they have been many and varied. It is impossible that legislation asked for by different sections of the country, shall stop, and Parliament has time and again signified its intention to have such legislation as will advance the interests of the country whether it interferes with the Grand Trunk Railway or not. I am sure nobody knows that better than my hon. friend, (Mr. Ferrier), who is connected with that Company. The construction of the North Shore Railway from Quebec to Montreal, and of the Occidental Railway from Montreal to Ottawa, and of various lines which my hon. friend from DeSalaberry, (Mr. Trudel) has referred to, the union during the present session of a number of lines on the south side of the St. Lawrence into one grand Company, and the refusal to insert a clause to permit the Grand Trunk Railway to lease any one of the links in that chain—all point to legislation inimical to the interests of the Grand Trunk. I do not think that it is a sufficient objection to this Bill to say that the Grand Trunk Railway will be interfered with. I trust sincerely that it will have no such effect, but am afraid that they will have to take their chance along with the other railways of the country. Some time ago I remember they favored this Company, but that was when the Bridge was not provided for. Then, that it is likely to take business from the Province of Quebec and Montreal, is, I apprehend, more or less true but even that is at any rate doubtful, and you cannot say that no legislation shall take place which will take business away from Montreal or any other locality. The Company has been incorporated, its application is a reasonable one, and the precautions taken to prevent the St. Lawrence being bridged to endanger navigation are sufficient. I shall feel it my duty to support the measure.

Hon. Dr. CARRALL—I have endeavored to inform myself on the matter under discussion and can see no objection to the passage of this Bill. I notice in coming from San Francisco that the Missouri river is bridged, and the Mississippi I know is bridged in various places. Those bridges do not interfere with the navigation. I do not think, after the examples we have had of the monopolies of great corporations in the United States, such as the Central Pacific, the Erie, the New York Central, and other rich railway corporations that control the trade of the United States, we should hesitate to grant this Bill, because it may be against the interests of a monopoly. Legislation should be in the interests of the country, and it should not be influenced by sectional or personal feelings.

Hon. Mr. ALEXANDER—As my hon. friend from Ottawa, the ex-Secretary of State, has already stated to this House the first Bill introduced by the projectors of this railway, was obtained in 1872. They then came to Parliament in 1877, because they were within two years of the limit of their charter expiring, and they obtained from the Legislature an extension of eight years, which will terminate in 1885. As only one year has elapsed since that extension was granted, and as their present charter contains almost everything that is in this Bill, I cannot see the urgency of their coming to Parliament now for further legislation.

Hon. Mr. SCOTT—There are two companies, and this is an amalgamation Bill.

Hon. Mr. ALEXANDER—It is very natural that the inhabitants of Glengarry

should be very anxious to build a road through their county, and that all the townships along the line should have the same desire. We can also understand the citizens of Ottawa having a deep interest in coming to Parliament, and endeavoring to strengthen their position as much as they can. We do not object to the original enterpise—the building of a railway from Ottawa to connect with the Grand Trunk Railway at Coteau, although I am sure no railway man in the country can see how they can pick up traffic enough to pay running expenses. But this is not the scheme they present to us to-day; they have come to Parliament with an enlarged scheme. The House will permit me to explain what I conceive that scheme to be. I admit that it is calculated in a small degree to benefit the city of Ottawa, and, of course, the county of Glengarry; but they have already the North Shore road on the one side, the St. Lawrence & Ottawa road on the other, and the Ottawa River running between—three channels of communication to the east and south-east. While this new road may be a small benefit to them, it is purely an American scheme, showing deep American astuteness, to divert the trade of the Dominion into American channels; and I ask my hon. friends from the Provinces of Quebec, Nova Scotia and New Brunswick, and from the cities of Halifax, Quebec, and Montreal, how they can support such a project? I ask my hon. friend from the city of Halifax why have we built the Intercolonial Railway, and why have we held out the hope to that rising city, that it is destined to become the great winter port of the Dominion? I ask the representatives of Montreal, Quebec, and of other shipping ports of this country how they can, in the discharge of their duty to their own localities, give any encouragement to this body of Americans who are here with their customary astuteness endeavoring to sweep through a small part of Ontario. and take from us the trade of the west, which we now have, and direct it to Boston, New York and other Ameriaan sea ports, instead of allowing it to find its way to Montreal, Quebec or Halifax? This is the scheme, and any railway man who looks closely into the matter, can see that that will be the effect of this legislation if it is granted. Ever since I have had the honor of a seat in Parliament the country has been spending millions of dollars in enlarging and improving our canals, in order to secure the trade of the great west, and with a view to build up a second New York within our Dominion. I do not speak in the interests of Montreal or Quebec, but in the interest of every citizen of the country, no matter whether he is a settler in the backwoods, or a resident in our cities, as all have an equal interest in building up the trade of our own ports. Another reason why this Bill should be opposed is the fact that the new Administration have launched upon the country a new national policy. I am a warm advocate of that policy, but I know from extensive intercourse with railway men that it is calculated to be most oppressive to our railway interests. From one Company this policy will take $40,000 a year, from another $60,000 or $70,000 and others will suffer in proportion, in consequence of the increased duties on locomotives, car wheels, and other railway plant and stock. I am surprised at the remarks of the leader of this House; I did not expect that he would address such arguments to this Senate. I expected when the present Government came into power we should find them prepared to protect all our interests. That is the object of the national policy; yet we allow those astute Americans to come in here with a scheme to take away our carrying trade, destroy our own railways, with the view of building up their own ports. Never did I hear such an unsound policy addressed to the country, or to this House. I may be in error, but if I know anything, I believe this scheme is entirely opposed to the interests of the Dominion. I have the greatest faith in the present Administration; we shall never again have the good fortune to have such able men at the head of affairs as we have now—men of such talent and experience—and I for one am prepared to sustain them on every occasion; but I regret that the Hon. Receiver-General has addressed to this House views, which, according to my mind, are not in the interests of Canada, and in favour of a scheme which is calculated to divert our carrying trade. Are we going to allow the Americans to carry off all our money, and all our trade?

We find their insurance companies sweeping the country, and doing our insurance for us; we find their Vanderbilt rings coming to this Parliament, and we have allowed them to injure deeply already our trunk lines, which it should have been our duty to protect, and upon which our prosperity depends. Our railways, kept in first-class order, are the very best advertisements we can possibly have as to the growth and prosperity of the country. Then, as regards the navigation question, that should be considered an insurmountable difficulty. We all remember what a cry was raised with regard to the manner in which that navigation was affected by the Washington Treaty. What a cry was raised, that the great commercial value of our undisputed sovereignty of the St. Lawrence, might thereby be affected. It is very true that from the manner in which the great competing trunk lines are now carrying at under rates, they have for the time diverted freight traffic from our navigable waters, but this cannot continue much longer. We can point to very few railways in the United States that are at present in a safe and solvent position. I could name twenty roads that are in the hands of receivers and twenty others that will be in the hands of receivers in a short time, in consequence of ruinous competition; yet the leader of the Government in this House asks us to pass this Bill and to encourage an enterprise that will affect deeply our own railways, which have cost us so much to build and maintain. The Grand Trunk Railway has cost an enormous amount of money, and even, with all the assistance the Company received from this country, if the English capitalists had not advanced $10,000,000 more, the road would have been a wreck and a ruin. At that time the whole road was out of repair; the old iron rails were so worn and broken that trains running off the track was an every day occurrence. The leader of the Government says it is too late in the day to interfere with or save our carrying trade. It is never too late if we have made important errors in the past, to avoid them in the future. If we have allowed a foreign railway to carry off our trade through the western peninsula of Ontario, it is not now too late to protect the trade that should go to the Grand Trunk, the North Shore, and the Intercolonial railways. The Province of Quebec has incurred a debt which is exceedingly heavy to bear. The insolvency of that Province depends upon its public works being made remunerative, or, at any rate, that they should not be run at a loss, and how can we, under such circumstances, sanction such a measure as this. I am not disposed to move the three months hoist at this stage of the Bill before it goes to Committee, but I am quite satisfied that after the Committee has examined the Bill it will finally be rejected by the House.

Hon. Mr. BAILLARGEON—As a representative of Quebec I wish to say a few words on this question. It is a scheme which interests a great many persons and a great many localities, and it has an important bearing on the trade of the country. Some gentlemen are strongly opposed to this project while others favor it. Amongst the former is Mr. Page, the Chief Engineer of the Public Works Department, who seems to think that if the bridge were built across the St. Lawrence, and it would interfere with the navigation, damage the surrounding country by causing a rise in the water level. As this is the opinion of a professional man of high standing, it is of very great importance in considering the question. We have also to consider the fact that the Province of Quebec has expended a large sum of money in constructing a through line of railway from Hull to Quebec, in order to secure the western trade, and this trade will be diverted from our roads over the Coteau Line and Bridge to Boston and New York. In view of such an interference with our interests, it is desirable that all the members from the Maritime Provinces, who have just as much at stake in this matter as the members from Quebec, should join in opposing this measure, which will have a disastrous effect upon our existing railways if it becomes law. The Intercolonial Railway has cost the country $22,000,000; the Grand Trunk Railway and the Victoria Bridge have also cost an enormous sum of money, and the North Shore Railway have cost between eight and ten millions of dollars. Under these circumstances I consider that it is our duty as well as

our interest to oppose this bill—or at least the part of it which refers to the construction of the bridge at Coteau.

Hon. Mr. FERRIER—As my name has been referred to by the leader of the Government, as knowing practically what kind of business the Grand Trunk Railway is doing, I wish to make a few remarks on the subject. It will be remembered that when the Grand Trunk Railway scheme was projected and carried through, it was understood that it was to be a through line, which was to receive the traffic of other lines running to it from the interior of the country. The Government of Ontario took a very deep interest in it, and it was understood, as much as a verbal agreement could be, that when that line, now projected, was built, the Grand Trunk should assist it with locomotive power and cars. Now the whole of this trade is being diverted at a time when the Grand Trunk is not receiving quite one-half the business that they are capable of doing from Canada. The construction of this new line will simply be taking from the Grand Trunk and the North Shore roads the traffic to which they are entitled. We have seaports of our own, and how are we to supply the shipping that comes to Halifax, and the St. Lawrence, if we allow our trade to be diverted into the United States? We seem to have lost sight of the large expenditure that has been made on our own railways, and the moment American companies come before us, we are ready to surrender to them everything they ask for. When we consider that the Grand Trunk has now only one-half the business it is capable of doing, and that we have to bring from Chicago and the far west, produce to supply our shipping and our trade, hon. gentlemen should pause before giving power to create further competition. If things continue as they are now, the Government will have to include chartered railways in their Act to wind up joint stock companies in Canada. It is as plain as possible that we are fast tending that way. Here is the Pacific Railway being built in the west; the Province of Quebec has become involved in a heavy debt through the construction of the North Shore road to receive the trade of the Pacific, but it seems all this is forgotten, and the Coteau line that will still further damage our interests, is to be constructed to carry off the trade to which our own lines are entitled. The Americans are wide awake to their own interests. Vanderbilt with his $90,000,000 of capital, which enables him to carry out every project that he takes hold of, has already shown himself in the west, and it is my firm conviction that if he is not in this scheme now, he will appear in it very soon, as he has the power not only to look after his own, but American interests. He is now organizing a line of steamers to run in connection with the New York Central, and as he is very desirous of monopolizing more trade, I should not be surprised to see before long his line of steamers extended to Boston. The moment he does that, he will take the traffic of Canada by the Coteau line, and instead of our trade finding an outlet at our own ports in Montreal, or Quebec in summer, and at Halifax in the winter, it will find its way to Boston. The Coteau Bridge is not required for Canadian trade. We have the Victoria Bridge in operation, which is not worked to one-third of its capacity, and why spend more money for another bridge that is not needed? It seems to me to amount almost to insanity to talk of building more bridges. A Bill was passed the other day to construct another bridge at Montreal, although, as I have said, the present bridge is not worked to one-third of its capacity. I really think that there should be some check on this sort of legislation or it will bring ruin on all the existing railways. English capitalists have invested $12,000,000 in the construction of the Grand Trunk Railway, and they have never yet received a dividend, nor does it appear that they ever will, if this sort of legislation is permitted. I do hope that this hon. House will take this matter into consideration, and in the interests of the country will refuse their assent to this Bill. I am an old man now—nearly at the end of my life—but looking to the future interests of Canada, I cannot consent that we shall allow the Americans to continue bleeding us at every pore.

Hon. Mr. TRUDEL—From the delicate position in which I am placed, I cannot give a silent vote on this question. This scheme has been considered chiefly as to its bearings on local interests. I may say on this point that if there are

any local interests at stake in this matter my own are, as I represent the De Salaberry division, the portion of the province south of the St. Lawrence that is to be most benefitted by this bridge. It is where my own private interests lie, and if I were to consider those interests, I would vote in favor of the Bill. But, hon. gentlemen, I think it is a mistake to deal with such questions from a personal or sectional stand-point. It has been properly stated by the hon. gentleman from Ottawa that this question should be considered first in relation to its effect upon the navigation of the St. Lawrence, and secondly, as to its bearing on the general interests of the country. As to the navigation question, I do not pretend to examine the evidence of the engineers who were before the committee of the other House. It is frequently considered good taste to differ from the opinions of gentlemen of the legal profession, but I will not venture my opinion against that of the engineers, although there might be some ground for doing so, seeing that there is such a difference in the views expressed by them on this subject. I will merely say that there is something very remarkable in one of the opinions which has been given, that the bridge piers, if built in the St. Lawrence, and obstructing one-seventeenth of the sectional area of the channel, would not cause a rise in the water level. No doubt it is a question of engineering, but it is also a matter of common sense. If we take as a principle that an obstruction of one-seventeenth of the stream cannot in any way raise the water level, we may logically conclude that the obstruction of one-sixteenth could not raise it either, and if the obstruction of one-sixteenth could not do so, on the same principle neither could the obstruction of one-fourteenth, or one-tenth, or one-fifth, or one-half. Proceeding by the same reasoning, we might come to the conclusion that the closing of the St. Lawrence altogether would not affect the water level. But there must be some point where the obstruction would commence to raise the water; it is a matter of common sense, and I consider that the bridge piers would, if built, affect the water level. My opinion is, that the people of Ottawa, in favoring this project, are working against their own interests. The whole Ottawa valley is deeply interested in the canalization of the Ottawa river, and I do not hesitate to say that the future of Ottawa is at stake on this question. If the people of this district believe that such matters should be dealt with as being a section benefit, how can they expect, if they build a road that will divert the western trade across the Coteau Bridge to the United States, that Quebec and the Maritime Provinces will be disposed to vote millions and millions of dollars to build the Ottawa Ship Canal? The policy of Canada for the past thirty years has been to promote a through traffic from the west through our own country, and with that object in view, we have expended ten times more money than we would otherwise have done on public works. This was the policy of old Canada; it has been the policy since Confederation; but now hon. gentlemen law down the principle that as soon as one part of the Dominion finds that its local interests will be served by opening new roads to an American seaport, though it will deprive our own ports of the trade that should naturally come to them, we should set the general interests aside and legislate in favor of a company. It has been stated by some hon. gentlemen that they are or are not in favor of the Grand Trunk Railway, but I think here is more than the interest of that road at stake. The country has contributed some sixteen millions of dollars towards the building of the Grand Trunk; we have expended a larger sum in building the Intercolonial, and we are now expending an enormous amount in constructing the Pacific Railway. If, after all this expenditure, the traffic is to be diverted from our roads, what benefit will it be to us? A great cry is made that this opposition comes from Montreal, and that Montreal is selfishly opposed to it for fear her own interests may be affected; but I say, hon. gentlemen, that the interests of Montreal are not much at stake. Montreal is not a winter seaport, and in summer it fears no competition. The danger is that once the Coteau road is open, and traffic begins to find an outlet by it in the winter, a large portion of the western trade will find its way to Boston and New York, that should go to Halifax. From a military point of view it

is our interest to build up our own through lines of railway on our own territory, and maintain them properly. I am satisfied that the Province of Quebec would not have saddled itself with such a railway debt as it now has, if it had any idea that the Dominion Parliament would sanction a road that will divert the trade from the Pacific Railway to American ports, instead of permitting it to follow the north shores of the Ottawa and St. Lawrence down to Quebec. I hope, as the Government have taken this matter into their own hands, that all those matters will be considered. I may be wrong, but I cannot see how there can be a doubt that the Dominion will decide against such a scheme as the one now before the House.

Hon. Mr. MILLER—I must say that I concur with much that has fallen from my hon. friend who has just resumed his seat. I believe the subject is one which deserves the serious consideration of this House, and while I do not intend to oppose the Bill at its present stage, I think there is great force in the arguments urged against it. If the Government had not absolute power to prevent the bridge from being built, I would vote against the second reading, but I am not prepared, at the present moment, to vote want of confidence in a Government in whom, in other matters, I have implicit confidence. I would suggest to the House it is as well to allow the Bill to go to second reading.

The Bill was read the second time on a division.

Hon. Mr. TRUDEL—I may remark that if I considered the defeat of this Bill would deprive the division which I represent of a railway, I would not vote for it, but I consider that the construction of this road will deprive them of another which unquestionably will be more to their interest.

The House adjourned at 6 p.m.

THE SENATE.

Monday, May 5th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THIRD READING.

Hon. Mr. MACPHERSON, from the Committee on Banking and Commerce, reported Bill (26) "An Act to confirm an indenture of sale by the Trustees of the Toronto Savings Bank to the Home Savings and Loan Company (Limited)," without amendment.

Hon. Mr. SMITH moved the third reading of the Bill.

The Bill was read the third time and passed.

THE RED RIVER BRIDGE.

INQUIRY—NOTICE WITHDRAWN.

The following notice of inquiry having been called:

Does the Government intend to connect the town of St. Boniface with the city of Winnipeg by a bridge over the Red River, and to appropriate for that purpose a sum of fifty thousand dollars, once included in the estimates, and afterwards withdrawn therefrom?

Hon. Mr. GIRARD said—When I gave notice of this inquiry, I did not know that a delegation was coming from Winnipeg to consult with the Minister of Public Works on the subject. We saw him, and the explanations we received have convinced us that the Government desire to do their best in the interest of Winnipeg. Under the circumstances, I do not think that it would be my duty to press any further for an answer to this question. The Government being well disposed towards us, we naturally told them that we would do all in our power, and perhaps a little in excess of it, to advance the interests of our city.

Hon. Mr. CAMPBELL—I have only to thank the hon. gentleman for the confidence that he has been good enough to express in the Government.

The notice was withdrawn.

IMPEACHMENT OF JUDGE POLETTE.

A PETITION PRESENTED.

Hon. Mr. TRUDEL asked for the reading of a petition from the Bar of Three Rivers, presented to the House to-day. It was for the impeachment of the Hon. Mr. Justice Polette, of Three Rivers. It was not for any improper conduct, but on account of his age. It was alleged that he had become unfit to discharge his duties, and that great inconvenience in the administration of justice was the result. The petition was signed by almost the whole Bar of the District of Three Rivers, and although it was late in the session he hoped that Parliament would take the matter into consideration. He moved that the petition be now read.

Hon. Mr. SCOTT—It is late in the session to proceed with such an important matter.

Hon. Mr. TRUDEL said that the reason for presenting the petition so late in the session was that the Bar had been given to understand that the Judge would retire, but having been informed recently that he would not retire, they petitioned Parliament to remove him.

Hon. Mr. SCOTT said that impeachment was a rather serious accusation to bring against a judge.

Hon. Mr. CAMPBELL thought that the petition would have to go through the regular course. Cases of impeachment were very rare, and there must be some flagrant misconduct to justify them.

Hon. Mr. TRUDEL repeated that there was no accusation against the Judge. The complaint was that in consequence of his advanced age he was unfit to discharge his duties, and great inconvenience was experienced in the administration of justice in the District of Three Rivers.

Hon. Mr. CAMPBELL—Has there not been a Judge sent there to discharge his duties?

Hon. Mr. TRUDEL said that it might be so occasionally, but, at all events, the Bar was dissatisfied. He hoped that the House would allow the petition to be read.

After a brief discussion, the motion was withdrawn.

THE DETROIT RIVER TUNNEL BILL.

FIRST READING.

Hon. Mr. ALLAN moved

"That in accordance with the report of the Committee on Standing Orders and Private Bills, the 51st Rule be suspended so far as relates to the petitions of the Detroit River Tunnel Company, and the Canada and Detroit River Bridge Company."

The motion was agreed to.

The following Bill, from the House of Commons, was introduced and read the first time—Bill (100) "An Act to amend an Act to incorporate the Detroit River Tunnel Company." (Hon. Mr. Vidal.)

QUEBEC BUILDING SOCIETY'S BILL.

THIRD READING.

Hon. Mr. RELLEROSE moved the third reading of Bill (L) "An Act to provide for the liquidation of the affairs of Building Societies in the Province of Quebec."

The Bill was read the third time and pased.

TRADE MARKS AND DESIGNS BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (82) "An Act respecting Trade Marks and Industrial Designs." He said that its principal object was to consolidate existing laws. The fees for registering trade marks were increased.

Hon. Mr. SCOTT—What were they?

Hon. Mr. AIKINS was not prepared to say, but they were no higher than in the United States, from which most of the trade marks came.

Hon. Mr. SCOTT suggested that, under the new order of things, the fee should be less to Canadians.

Hon. Mr. AIKINS—You cannot di-s criminate in that way.

The Bill was read the second time.

TEMPERANCE ACT, 1878, AMENDMENT BILL.

IN COMMITTEE.

The House resumed the consideration, in Committee of the Whole, of Bill (70) "An Act to remove doubts as to the true intent and meaning of certain provisions of the 'Canada Temperance Act, 1878.'"

Hon. Mr. ALEXANDER moved that the Bill be amended by inserting the following clause:—

"If the petition, whether for putting the Act in force, or for repealing any by-law for putting the Act in force, fails to receive the approval of a majority of electors, all expenses connected therewith shall be defrayed by the petitioners, who shall make a sufficient deposit with the treasurer of the municipality to meet the same."

He hoped that the friends of temperance would not suppose that he did not wish them the utmost success in the promotion of their cause. During the past year or two, however, there had been several temperance by-laws submitted to municipalities, and carried, which were afterwards repealed. In such cases, he thought it was but reasonable that the petitioners should pay the expenses. He had received a telegram and a letter today, asking him to press this amendment.

Hon. Mr. SCOTT said that his objections to it were two-fold: it attacked a vital part of the Temperance Act, and the hon. gentleman was availing himself of this Bill, which was simply explanatory, to propose this important amendment. Last session, when the Temperance Act was going through this House, it was proposed to apply the machinery of that measure to the Dunkin Act. This Bill was to declare that when a Dunkin by-law is repealed, the repeal shall take effect immediately. It would hardly be right to introduce into such a measure an important amendment to vitally affect the Act of last session. It was in no sense germane to this Bill. Apart from that, the amendment was not in order, because it proposed a tax upon the people, and should, therefore, originate in the other Chamber. He hoped that the amendment would be withdrawn.

Hon. Mr. ALEXANDER thought that this was a highly important matter, and it was but reasonable that the temperance people, when they asked the public to leave their homes to record their votes on this question, should pay the expenses of the election if the appeal should be unsuccessful.

Hon. Mr. VIDAL said that no case had yet occurred in which the petitioners in an election under this Act had failed. In fact, in Ontario it had been tried in only one instance. All the others had taken place under the Temperance Act of 1864. In New Brunswick, the attempts had all been successful, and, consequently the provision which the hon. Senator from Woodstock proposed to introduce would have no effect. He, (Mr. Vidal), did not propose to argue the propriety or impropriety of having such an amendment made to the Act of 1878. An attempt had been made last session to introduce an amendment similar to this into that measure, but it had failed. The hon. gentleman's amendment was improperly drawn, if it was intended to apply to the Act of last session. That Act did not come into force by virtue of any by-law, but by proclamation of the Government of the Dominion. Then, again, the petitioners were required to make "a sufficient deposit," who was to decide what would be a sufficient deposit, or when it was to be made? If the principle advocated by the hon. Senator from Woodstock should be adopted by the Committee, it would be necessary to alter the Temperance Act of 1878 from its very commencement. The House would surely not agree to attach to this simple explanatory Bill an amendment so vaguely worded and so inapplicable to the measure under consideration.

Hon. Mr. ALEXANDER—Do not the provisions of the Dunkin Act remain in force in some counties still?

Hon. Mr. VIDAL—Only where it was brought in force before the passage of the Act of last session.

Hon. Mr. DICKEY said that while the amendment which had been moved by the hon. Senator from Woodstock might be imperfect in its phraseology and might require to be remodelled, he, (Mr. Dickey), could not accept the contention of the hon. Senator from Sarnia, that because Parliament a year ago had pronounced upon this same question, the House should not be at liberty to amend it now. If Parliament had made a mistake, surely it ought to have the power to correct it ! Still less could he, (Mr. Dickey), approve of the argument that because, in the only cases where attempts had been made to enforce this Act, they had been successful, therefore the amendment should not be adopted. That was an argument which certainly lessened any objections to this amendment, because it showed that in point of fact nothing would be required from the petitioners. If this Act were required by any county or district, the amendment would have no effect, because the petitioners would not be required to pay the expenses of the election. He had always thought it a vicious principle that the funds of this country should be invoked to try experiments of this kind. No doubt the object was a good one ; still, the people who moved the machinery of this Act to put it in force, should be in just the same position as their opponents, and should be at the risk of having to pay the expenses if unsuccessful. If the principle should be approved of, the amendment could be remodelled in such a way as to make it conformable to the Act. As to the argument of the hon. Senator from Ottawa that the amendment was not germane to the Bill, he, (Mr. Dickey), thought it would be as well to remove doubts on this point as well as on any other.

Hon. Mr. ALEXANDER asked the Chairman to divide the Committee.

The Committee accordingly divided on the amendment, which was rejected, contents 12, non-contents 35.

Hon. Mr. GIRARD said that he had introduced a Bill this session which had been passed in this House and sent to the other branch of the Legislature. He was afraid that it would be among the "innocents" slaughtered at the close of the session. He therefore asked that it be incorporated in this Bill, not merely to insure the passage, but also to obviate the inconvenience of having two Acts amending the same measure on the statute book of any one session. He moved the adoption of the amendment.

The motion was agreed to.

Hon. Mr. McCLELAN from the committee, reported the Bill with certain amendments.

The amendments were concurred in.

Hon. Mr. SCOTT moved the third reading of the Bill.

Hon. Mr. DICKEY suggested that it would hardly be courteous to take the third reading in the absence of the hon. gentleman from Woodstock, who had given notice that he would move an amendment at this stage of the Bill.

Hon. Mr. HAVILAND objected to the business of the House being delayed at this late period of the session.

Hon. Mr. FLINT said that he objected to the Bill altogether.

The motion was agreed to, and the Bill was read the third time.

INTERCOLONIAL RAILWAY AMENDMENT BILL.

IN COMMITTEE.

Pursuant to the order of the day, the House went into Committee of the Whole on Bill (28) "An Act to Amend an Act entitled, 'an Act respecting the Intercolonial Railway' passed in the thirty-ninth year of the reign of Her Majesty, Queen Victoria.'"

In the committee,

Hon. Mr. ALMON moved that the Bill be not now read a third time, but that it be further amended as follows :—

Page 1, line 23.—After "Nova Scotia" insert Clause A.

Clause A.

"And provided further that no Court or other tribunal shall entertain any claim for damages or other compensation whatever made by or on behalf of the said Halifax City Railroad Company or the Assigns of such Company, by virtue of this Act, until it shall have been proved before such Court or other tribunal that such Company have fully complied with and fulfilled all the terms and provisions of Sections 6 and 7 of Chapter 83 of the Acts of the Province of Nova Scotia for the year 1863."

He said : These were the clauses which compelled the Company to keep the rails of their track level with the streets. He did not wish to prevent Mr. O'Brien from bringing his suit before the Courts, but that gentleman's railway should not be allowed to be a nuisance to the citizens of Halifax.

Hon. Mr. AIKINS said he could not accept the amendment, as this Bill gave no powers to the Company, and whatever powers they possessed had been received from the Local Legislature. The hon. gentleman's amendment had nothing to do with this Bill.

Hon. Mr. POWER hoped that the Bill would be dealt with on its merits, and not as being in any way a Government measure. This Street Tramway Company had been chartered in 1863 by an Act of the Legislature of Nova Scotia, under which they were compelled to construct and maintain their road in a certain way, but they had neglected to do so, In 1870 an attempt was made in the Local Legislature to compel the Company to comply with the terms of their charter; but the Bill was so amended in the Upper House that it became inoperative. Before the Act of 1877, the Company had discontinued running their cars on a great portion of their track. At the time the Intercolonial Railway was extended from Richmond to the city of Halifax the Passenger Tramway Co. were about on their last legs, and whether the railway had been extended or not, there was hardly a doubt that within a very short time the Tramway Company would have had to suspend operations. The Intercolonial Railway simply passed underneath the track of the Tramway Company, and there had been no interference with their traffic beyond one day. He had been informed by the late Minister of Public Works that he had offered the proprietors of the Tramway to satisfy any reasonable claim that they had for damages. He ventured to state that the Tramway Company had the same right under the Intercolonial Railway Act and the Public Works Act, as other owners of land and property along the Intercolonial Extension, to recover damages against the Government. The hon. gentleman from Amherst had seemed rather surprised the other day that he, (Mr. Power), being a lawyer, should have ventured to make such a statement as that, but he wished to direct the attention of the hon. Senator to the Intercolonial Railway Act of 1867, Sections 7, 9 and 13, and also to the judgment rendered by the Chief Justice of the Supreme Court in this case, by which it appeared that if he had erred, he had erred in the best of company. The claim the company made for the crossing of their track by the Intercolonial Railway was $260,000, and there was a fear that if this Bill passed in its present shape, the country would be mulct of a large amount of money. This House had the power, however, to make it a condition of the passing of the Bill that the Company should be compelled to keep their track in repair ; and the amendment of his hon. colleague to that effect should be adopted.

Hon. Mr. DICKEY did not think that the Company could claim any such amount as his hon. friend had stated. The amount the hon. gentleman had mentioned was monstrous, and he did not think any such claim could be entertained for a moment. Under this Bill they could ask for no greater amount than they could if they proceeded against the Government of Nova Scotia. All the liabilities to which Nova Scotia was subjected were by the Act of union transferred to the Government of Canada, and it was only to prevent a failure of justice that this Bill had been introduced, the provisions of which were perfectly in keeping with the spirit of the general Act. He had no hesitation in admitting that the condition of the Tramway Company's track was a grievance to Halifax, but it was entirely their own fault. He could not understand how an intelligent community could have so consented to hand over their streets to a company, and allow them to construct a double track through narrow streets in

such a way as not to permit of a carriage standing between the track and the pavement. But the people seemed to have been so taken up with this idea of getting a street railway that they had not taken ordinary precautions that it should be properly constructed and managed.

On the motion for the adoption of the amendments» the yeas and nays were called for. The committee divided, and the amendment was lost. Yeas, 11 ; nays, 19.

Hon. Mr. AIKINS moved the third reading of the Bill.

Hon. Mr. POWER requested that the third reading be postponed as he desired to divide the House on the amendment which he had offered in Committee,

The third reading was fixed for tomorrow.

THE LIBRARY OF PARLIAMENT.

FIRST REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. ALLAN moved that the first report of the Joint Committee on the Library be adopted. He said that it referred to two matters : one was a recommendation for the purchase of a valuable and unique collection of Canadian coins and of medals, commemorating events in the history of Canada from the earliest times. This collection had been made by Mr. Gerald Hart, of Montreal, who offered it for sale for the sum of two thousand five hundred dollars. This collection had been brought to Ottawa last session and examined by the Library Committee, and they had recommended that steps be taken to secure it. The then Premier had also examined the collection, and expressed himself highly pleased with it, but nothing was done towards securing it before the change of Government. The Library again recommended that it be secured. The other recommendation referred to a work, now in press, by Mr. Alpheus Todd, on "Parliamentary Government in the Colonies." Mr. Todd had represented that the work being one which referred more particularly to matters connected with the Colonies, was not likely to command a large sale in England; and, as it was a large work, had asked that a certain number be subscribed for by Parliament. The Committee recommended that 400 copies be secured for distribution.

The report was adopted.

BILLS INTRODUCED.

The following Bills from the House of Commons were introduced and read the first time :

Bill (97) "An Act to provide for the salaries of two additional Judges of the Supreme Court of British Columbia." (Hon. Mr. Campbell.)

Bill (92) "An Act to amend the Seamen's Act, 1873." (Hon. Mr. Campbell).

Bill (90) "An Act to amend the Act respecting the Harbor of Pictou, in Nova Scotia." (Hon. Mr. Aikins).

Bill (89) "An Act respecting the Harbor of North Sydney, in Nova Scotia." (Hon. Mr. Aikins).

Bill (91) "An Act to amend the Pilotage Act, 1873." (Hon. Mr. Campbell).

Bill (88) "An Act to amend the Acts respecting the Trinity House and Harbor Commissioners of Montreal." (Hon. Mr. Campbell).

Bill (60) "An Act to amend the Canadian Pacific Railway Act, 1874." (Hon. Mr. Campbell).

Bill (6) "An Act to incorporate the South-western Colonization Railway Company." (Hon. Mr. Girard.)

The House adjourned at 5 o'clock.

THE SENATE.

Tuesday, May 6th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

CANADA ATLANTIC RAILWAY BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. DICKEY from the Committee on Railways, Telegraphs and Harbors, reported Bill (30) "An Act to amend the Acts incorporating 'the Coteau and Province Line Railway and Bridge Company' and the 'Montreal and City of Ottawa Junction Railway Company,' and amending Acts, and to amalgamate the said Companies," with certain amendments.

The amendments were concurred in, and the third reading of the Bill was fixed for to-morrow.

THE NAVIGATION OF HUDSON'S BAY.

MOTION FOR A RETURN.

Hon. Mr. RYAN moved:—

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, a copy of a Provisional Report, dated 17th March, 1879, made to the Right Honorable the Minister of the Interior, on the country between Lake Winnipeg and Hudson Bay, with reference to the opening of communication between York Factory and the North-West Territory, by Robert Bell, M. D., Civil Engineer and Senior Assistant Director of the Geological Survey of Canada.

He said: I believe that the House will concur in the opinion that if a shorter route to our great North-Western Territories than we at present possess, can be ascertained to exist, and be proved to be effective, it will be a great boon to the Dominion. We have a vast territory in the North-West, which is certainly not easy of access at present, and if a shorter and easier route to it can be found, the whole of the Dominion will be benefitted. It is with that view that I have brought up this question, and moved for this report of 1879, which particularly applies to the facilities of the Hudson's Bay route, especially of the land portion between Lake Winnipeg and Fort York. It refers to the facilities for reaching the great North-West from Hudson's Bay, and gives the distances. The probability of Hudson's Bay being found navigable for a considerable portion of the year, has already been discussed, and I think that the conclusion at which the House arrived was, that if it should be found practicable to navigate Hudson's Bay for certain months of the year, it would be a great advantage. The House will recollect that some doubts were, at that time, thrown on the practicability of that route. It was incidentally mentioned that portions of that route lay in such a high latitude, that it would be almost impossible to utilize it. That was not the conclusion to which I had come, and I have taken occasion since then to inform myself more particularly on this point. I have a letter in my hand, which was written by the gentleman whose report I have now moved for, and who, from his practical and scientific knowledge of the Hudson's Bay region, (having been there in 1877 for the purpose of making a geological exploration of the east coast, and having surveyed the land route from Winnipeg to Fort York in 1878), is very capable of offering an opinion as well on scientific points as on the climate and general character of the country and of Hudson's Bay. He says, in a letter dated the 23rd of April last:—

"1. York Factory is in latitude 57° 01′ north, and longitude 92° 30′ west. The mouth of the Nelson River (close by), is in the same latitude, so that these sea-ports are nearer to Liverpool than Montreal is. In comparison with places which are, as yet, more familiar to us, I may mention that York Factory is in the same latitude as Aberdeen, is more than two degrees, or about 150 miles, south of Christiania and Stockholm, and is three degrees, or 210 miles, south of St. Petersburg, which is about as far removed from the Gulf Stream, and has not the advantage of the warm south winds, which (in the summer), blow over the centre of the American continent."

Now, we all know that Aberdeen, Christiania, Stockholm, and St. Petersburg are places of considerable resort, commerce and population. It may be said that the climate of Aberdeen, Christiania and Stockholm, may be influenced by the Gulf stream, but it is clear that the climate of St. Petersburg is not. It is as far removed from the influence of

the Gulf stream as York Factory is, and cannot be any more affected by it. When we look at things not constantly brought under our observation, it is usual to exaggerate their difficulties. We do not reflect how the march of civilization affects them, and how things never attempted before, look formidable, but become easy when the human mind and the forces of civilization are brought to bear upon their elucidation. I am firmly convinced that the day is not far distant when we will find that York Factory and the mouth of Nelson River will be as available for the residence of civilized communities as is St. Petersburg at the present day. There was some idea, on the occasion to which I have already referred, that these places lay within the Arctic Circle.

Hon. Mr. ALEXANDER—That was the view taken by the hon. leader of the Government in this House.

Hon. Mr. RYAN—I set to work to inform myself on that subject also, and obtained an explanation which I was very glad to get, because the Arctic Circle was always to me a rather indefinite quantity; I was not exactly certain of its extent. It is laid down very clearly in this letter as follows :

"The Arctic Circle is the parallel of 66° 30′ north latitude, or the line along which the sun does not set on the longest day of the year. York Factory is, therefore, 9° 27′, or 660 English statute miles due south of the Arctic Circle. (69½ miles to 1°, *i.e.* 60′ or nautical miles.)"

Hon. Mr. DICKEY—What about Hudson's Straits?

Hon. Mr. RYAN—If you look at the map you will see that they lie almost in the same parallel as York Factory. That will be the most difficult part of the navigation, I admit, but the reason is that they become narrower, and that the Arctic stream which flows down by the coast of Labrador may have some effect on the ice passing through Baffin's Bay and Davis' Straits east of Hudson's Straits. I have further to say, in regard to Hudson's Straits, that those who know them and have had some experience in them, say that the ice which is blown and carried by the stream from the north into them, is driven to the south side of the Straits, and that there is generally an easy passage on the north side in and out of Hudson's Bay.

Hon. Dr. CARRALL—How long is the passage open?

Hon. Mr. RYAN—If the hon. gentleman had listened to what I said before, he would have known that I then urged, as I now urge, upon the Government to send an expedition to test how long that passage is open. The accounts given of them by men who pretend to know these matters, vary—from four to six months. Some say that the navigation will certainly be open six months, and the more I enquire into it the more I am led to believe that six months is the time. Professor Selwyn is of opinion—and he is a very high authority, and has taken a great deal of interest in the question—that the navigation may be open for six months. The following is what the gentleman, whose report I have asked for, says more particularly with regard to the survey which he made in 1878, from York River :—

"The country for more than 100 miles in any direction from York Factory has a nearly level clay soil. At York, they grow small fruits and summer vegetables, as well as potatoes for the use of the whole establishment during the winter. Last July they were still using the potatoes grown the year before, and letters which I have received from York Factory during the present winter, mention that they had harvested a pretty good crop last autumn. One of the photographs which I took last summer shows the garden at this factory. Wild hay grows luxuriantly at York, and cattle thrive well."

Hon. Mr. READ—Is there any information whether the potato bug has arrived there yet?

Hon. Mr. RYAN—I do not think it; he is waiting for the improved navigation! The letter continues :

"I have not visited Churchill, which is in latitude 58° 46′, and longtitude 94° 10′ west, but I am aware that it is situated within the limits of the timbered region, and that cattle flourish, and excellent butter is made there."

So that it will be seen this is really not so desolate a land as people might suppose, without looking into the matter. The writer continues :

"The distance from York Factory to the outlet of Lake Winnipeg, (near Norway House,) is as nearly as possible 300 miles. The intervening country has a generally level surface, and although there is a clay soil the whole way across, (with the exception of some spots), it is not until we have gone about 150 miles, or half way, that we enter upon a region that may fairly be called suitable for agriculture. The country on both sides of the upper half of the Nelson River possesses a generally good soil. At Oxford House, nearly half way from Lake Winnipeg to York Factory, there is an excellent garden, in which I saw fine peas, French and Windsor beans, carrots, beets, white and yellow turnips, cabbages, onions and potatoes, besides a fine show of flowers. Here also, in addition to raspberries, strawberries, cranberries, etc., wild gooseberries of a fine, large variety grow in a profusion which I have never seen equalled elsewhere. Barley also ripens well.

"At Norway House, besides the foregoing, fine cucumbers and musk melons are grown. Wheat would no doubt be a sure crop here, and Indian corn does well at Moose Lake on the opposite side of the Nelson River. This is only what we should naturally expect, as Norway House is scarcely 300 miles north-north-west of Fort Garry; while at Fort Chipewyan, 850 miles, and on the Peace River, nearly 1,100 miles north-west of the same point, wheat of the finest quality is grown. I do not consider the climate of Norway House inferior to that of the Province of Manitoba, and I believe it to be superior to that of the Saskatchewan region to the west of it. The reason of this is that the warm south winds which blow up along the valley of the Mississippi, pass straight onward down that of the Red River and along the whole length of Lake Winnipeg, thereby keeping up a regular and comparatively high temperature, and insuring a freedom from summer frosts in the region under consideration.

"York Factory, near the mouth of the Nelson River, may, therefore, be considered as only about 150 miles from the commencement of the enormous area of agricultural lands, which continue past the outlet of Lake Winnipeg and up the Great Saskatchewan River, due west to the base of the Rocky Mountains, a distance of 800 miles from Norway House, or 950 miles in all in this direction. This includes most of what has been styled the "Fertile Belt," although the old notions in regard to the distribution of the fertile lands of the North-West must be considerably modified, in the light of recent investigations.

"4. As to the capability of the country between the agricultural lands of the North-West and York Factory, for the construction of a rail or tramway it appears to be well adapted for this purpose. The general surface is even, and has a gentle slope towards the sea of about two and a half feet to the mile. The line might be run parallel to the Nelson River in almost a straight course from one extremity to the other, without encountering any known obstruction, such as rocks, lakes or river valleys. There is much less snow in these regions than in this latitude, and the country abounds in fine timber for railway ties and for telegraph poles, such as white and black spruce, tamarac and Banksian pine. The railway could probably be constructed for less than $30,000 a mile; but, even at that figure, I have shewn in my report on this subject, that the whole cost would be only from four and a-quarter to nine millions of dollars, according to which of the several lines therein pointed out might be adopted.

"Norway House is near the north-eastern extremity of the far-reaching system of river and lake navigation of the Winnipeg basin, but I have indicated in the report above referred to how the navigable water might easily be extended a good deal nearer to York Factory. Still, I think it almost impracticable to open a route for navigation all the way to the sea, and a railway would be preferable for many reasons,

"5. Hudson's Bay and Strait are not in the Arctic regions, and should they prove sufficiently navigable for all practicable purposes, the advantages of this route from our great North-West to Europe and elsewhere, are too obvious to be denied for a moment. I may here mention that Moose Factory, on James' Bay, is in a rather more southern latitude than London, and enjoys a very fair climate for the purpose of agriculture. Although it has not the advantage of the Gulf Stream, neither has it the disadvantage of the cold current of Labrador. Speaking from experience, I can say that the sea-bathing in the tranquil waters of Hudson's Bay, hundreds of miles north of Moose Factory, is preferable to that of the Gulf of St. Lawrence."

"The centre of the agricultural lands of our great North-West Territories may be considered to be about at Lac la Biche, 100 miles north-east of Fort Edmonton. The best route from this centre to the markets of the world may, therefore, be considered the one which will suit the greatest number of the future inhabitants of these regions, and is the one which is sure to be adopted sooner or later. Keeping this in view, it will be of advantage to arrange our present policy so as to incur no unnecessary outlay or loss of time in our attempts to develope the vast extent of uninhabited lands which we possess. Starting from the above mentioned centre, the distance to Fort Garry is nearly as great as to York Factory; while to Thunder Bay on Lake Superior, it is about 350 miles greater. From Thunder Bay to Quebec by the lakes and the St. Lawrence, the distance is about 1,300 miles, so that York Factory, as a sea port, has the advantage over Quebec of about 1,650 miles of land carriage, and the Ocean voyage—say to Liverpool—is about the same from either. Were a route by York Factory opened, the products of the North-West would be brought as near to the markets of Europe as are those of Ontario; and, as a consequence, the value of hundreds of millions of acres of Dominion lands would be immediately raised to an additional value, which would represent enough of money, not only to pay for opening the route itself, but also for building the Canadian Pacific Railway. Among the

large population which we might have in that region, the manufactures and imports of the Dominion might have an extensive market, and thus add greatly to the prosperity of the country generally. The above are a few of the leading features of this question, which is of more real importance to the progress of Canada than any other at present before the public."

That is, on the land and sea voyage combined, there would be a gain of 1,600 miles in transporting the products of the North-West to Liverpool. Besides the information which this gives us as to the capability of the soil, I may also mention that the east coast of Hudson's Bay, which this gentleman also explored for geological purposes in 1877, is described by him as being very rich in minerals, which are so situated as to be very easily reached and worked. He mentions the existence of the following minerals: lead in abundance, copper, gold, silver, zinc, manganese, molybdenum, pyrites, ornamental stones, suitable for jewelry, of eleven different kinds, asbestos, soap-stone, anthracite of the best quality, but the quantity uncertain. He mentions specially a quantity of iron ore of a very valuable description, for making steel, which lies on the surface of certain islands in the Bay. He says that ships might be laden with it almost without the labor of mining. The Bay is also rich in fish. The temperature of the water is higher on an average than the Gulf of St. Lawrence, on the lower part of the St. Lawrence River, thus indicating that there is some influence at work there which certainly gives a warm climate to that part of the continent. Whether it be this hot air stream which comes from the south, through the valley of the Mississippi or not, remains to be discovered. I think that there is sufficient information about this region and Hudson's Bay, to warrant the Government in ascertaining whether all the advantages which its advocates think are easily obtained, can be achieved at all. But for that purpose I am afraid the time has gone for this season. I believe that a vessel should start about the first of June to achieve anything, but I hope that before next year the Government will consider whether it would not be advisable to make an appropriation for an experimental voyage there, and ascertain really and truly what is the extent of time of open navigation in those waters. I hope that the report for which I have moved will be brought down, and that it will be with the understanding that it is to be printed, in order that copies of it may be distributed to members of Parliament and others. This is a special report made to the Minister of the Interior on the subject which I have mentioned here, and which probably would not otherwise be published through the geological survey. It treats of another subject apart altogether from the geological survey, of which the author is an officer. He is not alone a geologist of note and second director in charge under Professor Selwyn of the Geological Department, but he is also a Civil Engineer, and is quite competent to offer an opinion upon this subject. The report I believe is a short one, and would give a good deal of information on a question which I am sure will become one of great interest to the Dominion of Canada.

Hon. Mr. KAULBACH—I am sure the House and country will be glad that the hon. gentleman has brought up this matter. The facts which he has submitted to us are endorsed by high authorites, and if they should be established by the report which my hon. friend calls for, it will be of very great importance for us to know it, and I hope that the Government will see that an expedition is sent to Hudson's Bay as soon as possible to make the exploration desired. Probably, the best plan would be to send a steamer. It is of very great importance that we should have the means of sending the grain and other products of the North-West by the shortest route to Europe. If it can be shown that York Factory is as near to Europe as Quebec is, it will be a great advantage gained. The trouble we have in exporting our grain now is that it ferments in passing through our canals and warm inland waters, so that it is necessary to re-ship it. In the cool waters of Hudson's Bay transhipments would be unnecessary. Of late a strong feeling has been manifested against the carrying trade of our products being taken from us by the United States, and the policy of the country seems to be to develop our own resources, and keep our own trade to ourselves. I should be happy to see the products of the great West find a short route to Europe through our own country.

Hon. Mr. CAMPBELL—Of course the Government have no objection to bring down the papers the hon. gentleman has asked for. I think, on a previous occasion, when I found it necessary to differ from the hon. gentleman on the question of climate at York Factory, and at the mouth of the Churchill—since then I have received a letter, which I forwarded to the hon. gentleman, bearing on the question—I described York Factory as being in the neighborhood of the Arctic Circle. It seems, however, that it is 600 miles south of it. What was running in my head was this: The line, which is the northern boundary of Alaska, is about the parallel of Fort Churchill, and I thought it was very far north. My hon. friend has done good service in bringing up this question, and I am sure when the papers are brought down, he will find that a fair case is made out for the expenditure of the $60,000 or $80,000, which will be required for the service—

Hon. Mr. RYAN—Oh! no. I will be very happy to get it done for half of that.

Hon. Mr. CAMPBELL—If it is a fair object for half that sum, or even the whole of it, and information can be got which will justify it, I am sure that the Government will be disposed to deal with the matter in a liberal spirit, because we are more or less in the dark on the subject. I hope, honestly and sincerely, that we have a country there such as the hon. gentleman thinks we have. With reference to the printing of the papers, I would suggest that the matter be referred to the Printing Committee, and I imagine that there will be no difficulty in obtaining their consent.

Hon. Mr. ALEXANDER—The country is indebted to the hon. gentleman from Victoria, (Mr. Ryan,) for directing attention to this subject. Of course we all know that the Hudson's Bay Company, for a long period of time, brought their supplies by that route to the North-West, but when a very dense population settles in the valleys of the Red River and the Saskatchewan, of course it will be necessary to have a railway. I do not think that the hon. gentleman expects that one should be built by our Government there, involving an expenditure of twenty or twenty-five million dollars, until we have a very much larger population, say from half a million to a million of people in our North-West. The hon. gentleman in referring to the climate, had said that it must be very similar to that of Aberdeen and St. Petersburg.

Hon. Mr. RYAN—No, I referred to the latitude.

Hon. Mr. ALEXANDER—I thought that the honorable gentleman said that latitude was the same, and that the climate was also. Of course we know that temperature and climate is not determined by the latitude, but by what is called isothermal line. Having been educated at Aberdeen University myself in my younger days, I can say if the climate of York Factory at all approximates to that of Aberdeen, it would be very favorable for the production of cereals. It is desirable we should get the attention of Parliament directed to this question, but at the same time until we have a much larger population in the North-West than is yet settled there, we can hardly expect the Government will enter upon the consideration of a railway to accommodate them.

Hon. Mr. RYAN—I should explain that it was not my intention to ask the Government to enter upon the expense of building a railway there. My idea is simply this. That if it were brought under the notice of European countries, which have a surplus population, that we have great facilities for reaching our North-West Territories, they would convey their surplus population there, and the expense would be much more moderate than by any existing route to the unsettled portions of the continent.

The motion was agreed to.

BILL INTRODUCED.

Bill (15) "An Act to repeal the Acts respecting Insolvency now in force in the Dominion." (Hon. Mr. Bellerose.)

INTERCOLONIAL RAILWAY LAW AMENDMENT BILL.

THIRD READING.

Hon. Mr. AIKINS moved the third reading of Bill (28) "An Act to amend

an Act intituled, An Act respecting the Intercolonial Railway, passed in the 39th year of the reign of Her Majesty Queen Victoria,"

Hon. Mr. POWER moved in amendment, that the Bill be not now read a third time, but that it be further amended as follows :

Page 1, line 23.—After "Nova Scotia" insert Clause A.

Clause A.

"And provided further that no court or other tribunal shall entertain any claim for damages or other compensation whatever made by or on behalf of the said Halifax City Railroad Company or the assigns of such Company, by virtue of this Act, until it shall have been proved before such court or other tribunal that such Company have fully complied with and fulfilled all the terms and provisions of Sections 6 and 7 of Chapter 83 of the Acts of the Province of Nova Scotia for the year 1863."

Hon. Mr. AIKINS said when the Bill was in committee yesterday, the sense of the House had been taken on this clause, and he had stated that it was impossible to accept it. If the Company had not complied with the conditions of their charter, that was not a matter for this Parliament to inquire into, but for the people of Halifax. The object of this Bill was simply to declare that the Company were still in possession of all the franchises they had previous to the passing of the Intercolonial Railway Act of 1877.

Hon. Mr. POWER called for the yeas and nays.

Hon. Mr. ALMON said as there were only himself and the mover in favor of the amendment, he would consent to it being declared lost on a division.

The amendment was accordingly declared lost on a division, and the Bill was read the third time and passed.

TRADE MARKS AND DESIGNS BILL.

IN COMMITTEE.

Pursuant to the order of the day, the House went into Committee of the Whole on Bill (82) "An Act respecting Trade Marks and Designs."

Hon. Mr. DICKSON reported the Bill from the Committee with one amendment.

Hon. Mr. AIKINS moved that the amendment be concurred in.

The motion was agreed to, and the Bill was ordered for third reading to-morrow.

BRITISH COLUMBIA SUPREME COURT BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (97) "An Act to provide for the salaries of two additional judges of the Supreme Court of British Columbia." He said: The House is, no doubt aware that, by the British North America Act it rests with the provinces to make their arrangements about the Courts and Judiciary Divisions and general arrangements of that character in their several localities. The Section is 92. Sub-section 14 of the Act gives exclusive powers to the Local Legislatures in the administration of justice in the province, including the constitution, maintenance and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts." The Province of British Columbia, in the exercise of this power, has passed an Act by which an alteration is made in their system of judicature, they have proposed to add two judges to the Supreme Court —and they do that in lieu, I believe, of some local or district judges who now exist. It is the duty of the Parliament of this country to provide salaries for these two additional judges. and that is the object of this Bill. I regret to learn from my hon. friend, (Mr. Cornwall), who represents a portion of British Columbia in this House, that he does not concur in the expediency of the course that is pursued in British Columbia. and that he would fain see this Bill rejected in order to prevent the view of the Legislature of British Columbia from going into effect. I should be very sorry to see anything of the kind happen. Whether they have done right or they have done wrong, it seems to me it would be very unfortunate if the Legislature of the Province were counteracted in a plan of this kind,

by the refusal of the Parliament of the Dominion to grant the salaries necessary for the judges. It would be an attack upon their autonomy, which might be attended with very unpleasant and untoward circumstances, and which might result in considerable inconvenience. I should be particularly sorry to see anything of the kind occur just now in British Columbia, where, unfortunately, the people are not over content as matters stand; and where, in my humble judgment they have some ground for grievance against the Dominion, without adding anything to it by refusing the salaries of two judges, to establish the court which they consider desirable. I dare say hon. gentlemen from British Columbia will say that we ought not to regard the action of the Legislature of that province; that in their judgment, it does not fairly represent the people of British Columbia, but it is impossible for Parliament to come to that conclusion, and we must listen on a point of this kind, not to the views of members of this House, or to the views of members of the other House, in contradiction of the expressed views of the legislature of the province, as expressing the opinion of the people of the province. Therefore, notwithstanding the views that may be entertained to the contrary by hon. gentlemen in this House, we must assume in passing the Act which is quoted in the preamble of this Bill, the Local Legislature have expressed the expedient course for that province to pursue. I think it is for the Legislature of the Province to pronounce upon it, and if they do not represent the people fairly or completely in the matter, it rests with the people of British Columbia to put a new legislature in their place, which shall represent them truly. But in my mind, as long as they are there, we must listen to them as representing the views of the people of British Columbia, speaking in a proper and legitimate way. This Bill is brought in to give effect to the Act which they have passed. I understand from some hon. gentlemen, who are good enough to support the Government in this House, an opinion has got abroad that the Government is indifferent as to the success of this Bill, and that they would not complain if it did not pass through this House. I feel it my duty to give a most complete contradiction to this insinuation. The Bill is a bill of the Government, brought in good faith, and with intent that it shall become law, for the purpose of giving effect to the wishes of the Legislature of British Columbia in respect to those judges, and we should be very much grieved indeed to see it rejected in either branch of the Legislature. I should say, when the Lower House, which is charged with the administration of the revenue of the Dominion, has seen fit to grant the Bill, and grant the salaries, it would be stepping outside of our ordinary jurisdiction if this House were to say that the money which has been granted in the House of Commons, for the carrying out of the wishes of the people of British Columbia, should not be expended for that purpose. I remember some years ago that for special reasons which were advocated at the time by the hon. gentleman from Amherst very strongly in this House, a Bill of this kind was postponed. It was postponed because it was said that the Legislature of the Province interested was moribund, and that the new Legislature, as soon as they came together, would take a diffierent view of the matter. That new Legislature did not take a different view, and the Bill to provide for the salaries of the Judges was passed the next session. I think it would be very inconvenient if we got into collision with the Province, by omitting to provide the salary for the judges which its Legislature has created. I trust very earnestly that this Bill will receive the support of all those gentlemen who desire well towards the existing Government of the country, and if so, I am happy to think that it will receive the approbation of the large majority in this House. I cannot see any object members could have, save those who came from British Columbia, in objecting to the Bill, and I trust hon. gentlemen will give their cordial support.

Hon. Mr. WARK wished to know if any of the County Court Judges were to be pensioned.

Hon. Mr. CAMPBELL—I suppose it would follow that the judges who were to be displaced would be entitled to pensions. There is nothing in this Bill about it, but I suppose that would follow.

Hon. Mr. CORNWALL—I think that he hon. leader of the Government in this

House has, as he always does, done excellently well in the way he has introduced this measure to the notice of ourselves. He has taken, of course, the only line he could possibly take for establishing the necessity of passing such an Act as this. He has come to us, and said this Bill which he has introduced is to carry out the provisions of an Act passed in the British Columbia Legislature in 1871. I quite acknowledge, as the hon. gentleman has told us, that it is the part of the Government to do something at all events towards carying out any Act that is so passed by the Local Legislature that is not *ultra vires*, and I can see that the hon. gentleman in treating the matter as he has treated it, has only done his duty in the whole matter; but I am sure if he was able to look at the subject in any other light, or to take into consideration the true facts of the case, he would consider it in the way in which I hope I shall be able to induce other hon. members of this House to look at it. The hon. gentleman said that an Act of ours, refusing to carry out the wish of the Local Legislature would be, as it were, an attack upon the Act of British Columbia. It certainly would be an attack upon the Act of that Legislature; it would be a denial of the right of the Provincial Legislature to pass an act of that sort. It would be establishing the fact that, in our opinion, the reasons which induced the Legislature to pass that Act were not sufficiently cogent to induce us to acquiesce in such legislation. The question now is as to the appointment of two extra judges; but we might go further, and suppose that the Local Government thought fit that five additional Supreme Court judges should be appointed. Would the hon. gentleman then have come forward and said that it was necessary, because this Act had been passed by the Legislature it should be supported by the Government, and should be given effect to by both Houses of Parliament. It is only a question of degree, and the argument that the hon. gentleman has used will not, when looked at in that light, have the weight or consideration which he attempts to place upon it when he brings the matter before the notice of the House. I oppose the motion before the House upon two special grounds: I contend that it is adverse to the pecuniary interests of the Dominion Exchequer. I contend that the change proposed to be carried out will cost the Dominion many thousands of dollars a year more than it now costs to efficiently administer justice in British Columbia. I contend, looking at it from a Provincial point of view, that under the proposed change, justice will not be as efficiently admistered as it is under the present system in British Columbia. To make the matter clear to the House, I must refer to the Act which is called "An Act to make further provision for the Administration of Justice," which was passed in the session of the Provincial Legislature of 1878. That Act in its first clause provides that two judges shall be added to the number of the judges of the Supreme Court of British Columbia. In the third clause it is enacted that every County Court shall be presided over by a judge of the Supreme Court; and in the second clause it is enacted that three of the judges of the Supreme Court shall reside on the mainland of British Columbia. Lately, during the present session of the Legislature, they have passed an Act to enable them to carry out some of the provisions of the Act of last year. It is called the "Judicial District Act of 1879," and in that Act they name certain districts which they call "judicial districts;" and they provide that three out of the five Supreme Court judges which they propose to have shall be districted in these certain localities—that two of the judges of the Supreme Court shall reside in Victoria, one in New Westminster, one in Clinton and one in Barkerville. Clinton and Barkerville are small places in the interior of the country, hundreds of miles from the headquarters of the Supreme Court, and sparsely inhabited. In order to enable sec. 3 of the first Act to which I have alluded—the Act which provides for the addition of two Supreme Court judges—to be carried out, the first step that will have to be taken by the Dominion authorities is to pension the existing five County Court judges. This Act of the Provincial Legislature had specially in view the doing away with the county courts in British Columbia. At the time of Confederation these gentlemen who are now County Court judges, and officers of the Do-

minion, were Imperial officers. They occupied in a certain degree the same position prior to Confederation that they do now, and at the time of the union they were taken over by the Dominion Government. One of the arrangements entered into at that time between the respective Governments, was, that if in the future it became neccssary to dispense with the services of these five officers, they should be pensioned by the Dominion Government, and receive a two thirds salary. Therefore the first step to be taken by the Dominion authorities is to provide a pension for these five County Court judges; and this brings me to the question of expense. Their salaries at present amount to $13,300 a year. Two-thirds of that sum amounts to $8,866 a year, and if we add to that amount the $8,000 which the Dominion Government propose to find for the two additional Supreme Court judges, we shall have an annual expenditure for salaries and pensions of $16,866.

Hon. Mr. DICKEY—That is compared with the existing salaries of $13,300?

Hon. Mr. CORNWALL—Yes. From this amount of $16,866, if we deduct the amount now paid we find that there will be an extra cost to the Dominion in salaries alone of $3,566 per annum. But mere salaries are only a very small part of the expenses I imagine. Hon. gentlemen know as well as I do, that County Courts are invariably carried on in the most economical way. That is specially the case in British Columbia. There the County Court judges are districted where they reside. They have no allowance of any kind beyond the smallest amount that suffices to pay their travelling expenses in passing from one locality where they hold their Courts to another. But what will be the case when we have Supreme Court Judges? Can any hon. gentleman suppose that the business can be carried on in the same economical manner? Is it not a fact that Supreme Court judges are entitled by law to a certain fee for every court they hold? Is it not a matter of notoriety that the travelling expenses of Supreme Court judges are invariably paid? Is it not a matter of fact that the travelling expenses of those judges who are to be distributed over remote districts in British Columbia, and who, in their practice, have to attend at the head-quarters of the Supreme Court, to attend term and meet their brother judges, will have to be paid by the Dominion of Canada? Looking at this matter in this light, it is impossible for me or for any hon. member to say what number of thousands of dollars will in reality be incurred as extra expenses to the Dominion of Canada under the change that is now proposed to be made. Looking at this matter from a federal point of view —from that point of view in which I stand here in this House to consider such matters—I have shown that the change which the Government propose to inaugurate in order to carry out the views of the Legislature of British Columbia, will cost the Dominion in the future a sum much in excess of that which it now expends for the administration of justice in that Province. Now, if in addition to this, I can show, as I think I can, that justice under the proposed change will not be so well administered as it is at present, I think I shall establish two points that ought to go very far in determining the opinions of hon. gentlemen in this matter. At present the County Court judges of British Colnmbia reside in their several districts, and hold frequent courts where cases of comparatively small moment can be heard and determined. Until Confederation the present County Court judges were stipendiary magistrates; they were also agents of the Treasury under Imperial rule, agents of Crown Lands, Indian agents, mining commissioners, etc. They were not professional lawyers in the first place, but they were men who were chosen for their capacity and intelligence to fill the positions that they did fill. The experience of twenty years in the active exercise of their functions has given them that practical knowledge of the law, which is ample to enable them to carry out their duties in a most satisfactory manner. They are accustomed to the life which they have to lead. They are thoroughly familiar with the people and their requirements, and they administer justice in its cheapest and most acceptable form. The judges of the Supreme Court make periodical circuits. In that way they do their share of the business in the interior of the country. They go and hold, as judges do in other

parts of the Dominion, their Courts of Assize, Oyer and Terminer, *Nisi Prius*, etc., at certain fixed periods. Up to three years ago, it was usual that the judges of the Supreme Court should hold two circuits of this sort during the year, but I regret to have to say that during the last three years so much complaint was made by the Dominion authorities as to the expenses incurred by the two circuits of the Supreme Court, that the circuits have been reduced to one, under which system a certain amount of injustice has been done. Prisoners against whom charges were made, have had to remain in prison many months before their cases could be heard, and in that way some who were afterwards found to have been guiltless of the charges alleged against them, have suffered grievous wrong. This is a matter that should be seen to, and I would impress upon the leader of the Government in this House, (himself a professional man), that it should be arranged, that in the future at least two circuits should be held annually—assizes and general gaol delivery. If I have shown that up to a certain point, under the present system, justice is satisfactorily administered in British Columbia, with the exception of the last point, which is not owing to the paucity of judges in British Columbia, but merely to the objection of the Dominion Government to incur expenses which would not, under the circumstances, exceed $1,200 a year ; if I have shown that, with that exception, justice is satisfactorily administered now, I think I can also prove that justice cannot be so satisfactorily administered under the proposed change. In the first place I contend that men of standing in the legal profession—men who by their experience, and by the success which they have achieved in the profession, are entitled to receive judgeships—could not be found to take the position which might be offered to them under this Bill. The present circumstances of British Columbia are unique. I do not think one can compare them with the circumstances of any other part of the Dominion. In the interior of the mainland, where, by this Bill which I have quoted, two of the Supreme Court judges are to be districted, none of the conveniences of life to which men who aspire to be judges of the Supreme Court are accustomed are to be met with. The country is large, the inhabitants are few in number, and inhabited places are far apart ; the difficulties of locomotion are great, and what are considered necessaries of life in civilized communities beyond mere bread and meat are, in fact, almost unobtainable. The duties of the Supreme and County Courts would require their constant travelling. The districts are excessively large, and in those districts they would not only have to do the work of the Supreme Court, but of County Court judges also. The accommodation at the different resting places to which these judges would have to find their way is most inferior, and in order to carry out the work that would devolve upon one of these men he should be a man of youthful vigor and energy, who has to make his way in the world, and who would be able to rough it and to live in a way to which no one who should fill that position can possibly be accustomed. Then, again, I may mention that the judges will not be able to do the work that the County Court judges do at the present moment. The Supreme Court judges that are now in British Columbia, although they are by no means overworked, have quite sufficient work to engage their attention from year to year. If this is the case, it is plain that all the County Court work that has hitherto been done by the five County Court judges will devolve upon the two Supreme Court judges that the Legislature of British Columbia now hope to see appointed. Districts in British Columbia are hundreds of miles square, travelling is very laborious, and the judges will have to be without intermission on the move. Under all those disadvantages, I fully believe that they will not be able to hold the frequent courts that are at present held in that province, nor will they be able to undergo all the labor or do the duty that will devolve upon them if they are appointed, consequently I have come to the conclusion that County Courts will not be held as frequently as they are now held, and the cost of this inferior administration of justice will be greater than it is at the present moment. I could greatly enlarge on this subject. I could speak of the lowering of the status of Supreme Court judges in asking them to preside over petty courts for the collec-

tion of small debts. The present Supreme Court judges of British Columbia are English judges, and it was understood when they became officers of the Dominion of Canada that their position or status would be in no way lowered or debased. The effect of the proposed change must be to lower their status, not only in their own eyes, but in the eyes of the whole Province. I could point out how the districting of the Supreme Court judges of British Columbia will destroy that freedom of intercourse between the judges of that Court, and that ready access to each other which, alone, will result in a uniform, consistent, and satisfactory administration of the laws. I could show how the bar of the Province would be scattered, and how in many other ways the result to British Columbia would be most disastrous. I can assure this hon. House that there is no wish, in British Columbia, for the passage of this Bill. I have been there for years, and, being one of the people, I know thoroughly what is going on, and what their wants and necessities are; and I never heard any reason expressed for such a change as that which is now proposed. The object the promoters of the change have in view is hardly necessary to enter upon. Such things are understood, I fancy, by members of this House. We all know how such things are brought about. We know how people, being invested with brief authority, think it desirable that they should provide means by which they can retire on good salaries when the opportunity arrives. I must confess I can see no other reason that would bear looking into as having brought about the passage of this British Columbian Act. I am glad to know that in the view I have taken in this matter, I am supported by the other members from British Columbia. They view this matter, in the light which I have attempted to lay before the House; and in hope that my views, as expressed, may find favor with a majority of hon. members—although I am unwilling to act in opposition to the wishes of the Government—I now move in amendment to the motion, seconded by the Hon. Mr. Macdonald, to leave out the word "now," and after "time" insert "this day six months."

Hon. Mr. WARK.—Do all the Supreme Court judges reside in Victoria?

Hon. Mr. CORNWALL—Yes.

Hon. Mr. SCOTT—The House is very much indebted to the hon. gentleman from Ashcroft for the very exhaustive information he has given us as to the judiciary of British Columbia. It carries with it the weight of personal knowledge. The cost of the administration of justice in British Columbia has been a matter of considerable thought to the Government in the past. The fact of our having to pay some $30,000 for the salary of judges in that province, where there are only, I believe, about 13,000 white people, and a considerable number of Indians, seems enormously out of proportion to the amount that ought to be allowed to that service. It has always struck me that the administration of justice, particularly on the mainland, where the legal functions consist mainly of the collection of very small debts and breaches of the peace, and misdemeanors of various kinds—would be most fitly carried out by judges of the character called into existence by the condition of affairs before the Union, that is: county court judges who had little judicial knowledge, but a wide knowledge of the circumstances of the country. The sort of justice one wants in a mining country where the population changes from time to time is ready off-handed justice, not the sort we are accustomed to in this country, and in the class of cases that come up in the older parts of the Dominion. They are not cases that require to be argued by lawyers, or which affect important interests. They are comparatively insignificant, and though important, no doubt, to the people affected by them, they do not require a high order of judicial mind, and have been very properly administered in the past by gentlemen known as county court judges, who were not lawyers. Now, it does seem to me, that the Government is yielding probably to local prejudice in this particular case—to the fact that the Legislature of British Columbia passed this Act, and sought to change the system, and they have yielded, I think, rather too lightly in the face of the large expenditure which has been entailed on the country in the administration of justice in that Province. I have been looking through the Public Accounts, and I find that, in consequence of some discussion

that has been going on between the Department of Justice and the Judiciary of New Brunswick, there has been a refund of $1,700 for the last year. My own impression of this refund is this: that the Department considered these sums should not be paid, that the judges protested, and that the money was refunded. I know that the payment of the judges of British Columbia was so enormous in the past, that it excited several times anxious inquiry on the part of the Government. If we appoint judges to the higher court, there, it will be quite impossible to keep down these enormous charges. They claim $100 for each circuit and travelling expenses beyond that, making a very considerable income in itself. I observe that in one year Mr. Justice Crease was paid no less that $2,700 for one circuit alone in addition to his salary. The idea of having five Supreme Court judges to administer justice for 13,000 white people and some Indians, who can afford very little food for lawyers, beyond committing a few crimes in the year, which could be tried by roving Stipendiary Magistrates, seems absurd. It does seem to me that the information brought before the House by the hon. Senator from British Columbia ought to receive the consideration of the Government, and that some stop should be put to the enormous increased expenditure in the administration of justice in British Columbia.

Hon. Mr. MACDONALD—I think that the Government deserve a great deal of praise for the promptitude they have shown in giving effect to the acts of the Legislature of British Columbia. At the same time, I cannot agree with those acts, or the necessity of the proposed change in the judiciary of the province. We have now three Supreme Court Judges who have performed their duties in the most efficient manner. There have been no complaints against them, the country does not seek, or require a change; there have been no complaints of a miscarriage of justice, neither has there been undue detention in bringing cases to a speedy trial. We have five County Court Judges who have done their work well enough. I have never heard a complaint. They are on the ground, live in different parts of the country and bring a long experience to bear on their work. It is now proposed to pension these County Court Judges and create two more Supreme Court Judges at an increased cost to the country. Taking this increase at only $3,500 a year for salaries and pensions, it would represent a capital at 5 per cent. of $70,000. That might be regarded as a trifling matter if the change would be beneficial or was demanded by the country. I have lived in British Columbia many years, and I have never heard a complaint against the County Court Judges. We have plenty of Judges to conduct the administration of justice efficiently. I think that it would not be a wise rule to lay down in this House, that all the acts of the Local Legislatures should be given effect to by this Parliament. In this case I believe that it is nothing more or less than caprice on the part of the Provincial Government, simply because the County Court Judges are not lawyers. These Judges have been in office from sixteen to seventeen years; they have a knowledge of their work and a knowledge of the country, and I hope the House will agree with us that it is not in the interest of British Columbia or of the Dominion that this Bill should pass.

Hon. Mr. KAULBACH—I must say that I am forced to oppose this Bill after hearing the strong reasoning of my hon. friend from Ashcroft, (Mr. Cornwall.) He has clearly shown that it will be attended by large cost, and that justice will not be as expeditiously and efficiently done as under the present arrangement. His professional training and his extensive knowledge of the country and the working of the Courts must give weight to his opinion. My hon. friend, the mover of the Bill, has told us in effect that this is a matter for the Local Legislature to deal with; that they have a right to decide how many Judges shall be appointed, and that we have nothing to do but to pay them—right or wrong, we must pass this Bill, and appease the Province of British Columbia. That is not sufficient of an argument, even from the Government, to influence me to support this measure. We have to consider two most important points—whether this is not unnecessarily imposing an additional burden on the people of this Dominion, whose burdens have already been so largely increased by the union of British

Columbia with the Dominion, and whether it should be done, when, as my hon. friend from Ashcroft has so clearly shown, justice will not be so cheaply, expeditiously and efficiently administered as it is at present. I am forced, however, reluctantly, to oppose the Bill. My hon. friend from Ashcroft has shown that there are five County Court Judges in British Columbia well qualified, not only by long experience and knowledge of the country, but by their personal qualities, capacity and intelligence, to deal with all the cases which come, or are likely for some time to come, before them. It would be lowering to the dignity of Supreme Court Judges if they were required to try petty cases of assault and battery, and the collection of small debts. No nice questions of law can arise under the present primative trade of the country. The population and commerce of the Province, and their commercial transactions do not warrant such a large expense as this measure contemplates. The hon. Senator from Ashcroft says that there are five County Court Judges whose salaries amount to $13,300. They would have to be pensioned at the rate of two-thirds of their salaries, which would be $8,866. The salaries of the two additional Supreme Court judges would be $8,000, making in all $16,866, or an increase over the present salaries paid to the five County Court Judges, of $3,566, while the work would be less efficiently performed. Besides that, the ex-Secretary of State has shown us that the travelling and other expenses are enormous, and it seems to me that we would be unnecessarily imposing burdens on the people by passing this Bill. Finding that all the representatives of British Columbia, who have a thorough knowledge of the questions, are opposed to the Bill, and their facts and reasoning seem unanswerable, I think that the House will say, in the public interest, that it should not pass, and that the five County Court Judges should be retained as they have administered the laws, and can continue to administer them, much more efficiently and expeditiously than two additional Supreme Court Judges could do.

Hon. Mr. HAVILAND—I do not think we have anything whatever to do in this matter as to whether justice will be better administered under the provisions of this new Act of the British Columbia Legislature, than under the conditions that now exist. Under the British North America Act, the Local Legislatures have the right and the power to create courts of justice, and when those courts are created, the Dominion Parliament has the special privilege of providing the salaries of the judges. I have given some consideration to this matter lately, and the conclusion I have come to is this : that if the Provincial Legislature acted unwisely in passing the Act, it was the duty of the advisers of His Excellency the Governor-General to have recommended the disallowance thereof. But the Government of the Dominion having sanctioned that Act, if they now refuse to find the means to pay the judges, they would be acting an inconsistent part. I do not believe that we have any other alternative than to pass this Bill, the House of Commons having provided the means to pay the salaries.

Hon. Mr. DICKEY—Whatever may be the opinion of the House on the merits of this particular Bill, I think we must all agree that it is a strange anomaly that while, under the British North America Act, the constitution and management of these courts are left to the Local Legislatures the means to maintain them must be provided by the Dominion Parliament. The present case is not without precedent. A case arose in my own province a few years ago, when my hon. friends in this House, alongside of me, had to deal with it. It was with respect to the County Court Judges of Nova Scotia. On that occasion I took the responsibility of asking that the Bill should be postponed—not rejected—in order that the Local Legislature might have an opportunity to reconsider their decision. That precedent was adopted by this House, and the Bill was postponed for that purpose. When it came up again my hon. friend and myself found that the sense of the country was not strong enough to repeal the Act, so we withdrew, as gracefully as we could, our opposition to the measure and it was carried. At all events the postponement of the Bill for a time had given the Legislature of Nova Scotia an opportunity of dealing with the question if they had thought proper to do

so. In all consistency then, I must support the request of the British Columbia members in this House. It seems to me that the Government have no particular interest in adding to the burdens of the Treasury, and it would be well for them to consider the propriety, after the strong expression of opinion that has been given, to allow the matter to stand, with a view to giving the Legislature and the people of British Columbia an opportunity of reconsidering the question. In the meantime no injustice can be done, because, if we take the facts as they stand in relation to the constitution of the courts, it would appear that justice is as surely and as well administered now as it could possibly be under this Bill. These five County Court judges appear to be just the class of men that we would suppose to be required in a sparsely settled country, inhabited by a class of people whose cases are not of a character generally dealt with in Supreme Courts. In fact, I should suppose that it would be a retrograde step altogether to abolish the County Court judges who live amongst the people, and who understand their wants and the merits of the cases that come before them. To abolish these five judges, and ask for the appointment of two additional high functionaries a judge of the Supreme Court to go through the country and administer the same sort of justice, it seems to me in the last degree absurd. I think the Government would do well to yield to the strong expression of opinion that has been given on this point. I do not believe that my hon. friend from Prince Edward Island is prepared to say that the course provided by this Bill is a good one. I believe it is a retrograde step, and must lead to largely increased expense. If we are ultimately bound to accept this Bill and pay the money, let us do it, but I think in the meantime, we should follow the precedent that was set on a former occasion, and give the Legislature and people of British Columbia an opportunity to reconsider the matter.

Hon. Mr. ALEXANDER—I confess that the observations that have fallen from hon. gentlemen in this matter place one in a very embarrassing position. In the first place, if we act according to the views of the hon. gentlemen from British Columbia—and they are most competent to pass an opinion upon the condition of their courts, and whether there is a necessity for new judges—it places one in the position of opposing the Government, of which I am a warm supporter, and in which I have unbounded faith. But there is another question to be considered: if we fail to carry out the views of the Provincial Legislature, British Columbia may by a resolution wipe out this Senate, because this is not the first time we have opposed her wishes, as we all remember with regard to the Carnarvon terms. If it had not been for the Senate, British Columbia would have had the Nanaimo and Esquimault Railway, and three or four millions of dollars more would have been spent in their country. Seriously speaking, I do feel that the views expressed by the hon. gentleman from British Columbia, are sufficient to make me hesitate whether they should support this Bill, although it has been brought in by the Government of the day in the discharge of their duty. I admit that the hon. Receiver General's view, that the difficulties that have arisen and that exist between us and that province at this particular moment, are strong reasons for this Government acquiescing in this measure, but we cannot approve of this additional expenditure. Under all the circumstances, I shall be compelled to vote according to the views of the hon. gentlemen from British Columbia.

Hon. Mr. SCOTT—The Public Accounts for the year 1876 show that the cost of the administration of justice in Nova Scotia was $54,000; in New Brunswick, $36,000, and in British Columbia, $40,000. In the preceding year we find the administration of justice in British Columbia cost $42,000. Chief Justice Begbie in that year seems to have had $3,000 for his travelling allowance.

Hon. Dr. CARRALL—I cannot allow the vote to be taken on this Bill without expressing my opinion with regard to it. I have not given a great deal of consideration to the subject before the House, nor have I heard much of this debate, but I think myself that the duties of the positions occupied by the County Court judges, not only as County Court judges but as gold commissioners, collectors of revenue, Indian agents, etc., have been

performed in a manner that has given almost universal satisfaction. I venture to think that the two judges that are now proposed will not perform all those functions, and further, that while the expenses of the three judges who constitute the Supreme Court and Court of Appeal, incurred by their visiting difficult and remote districts, are great, when two additional judges are appointed they will be largely increased. I am very glad to find that I am here in time to say that justice is administered in British Columbia at present in the different districts in a way worthy of the five high minded gentlemen who preside over our County Courts. It is true that in turning the County Courts judges over to the Dominion we did so in the only way we could, by providing for their superannuation should the necessity arise for the appointment of judges learned in the law. I must say that the judges have performed their several duties very efficiently ; that they know their business sufficiently well for the performance of their various functions ; that they are vigorous men, in the prime of life, quite competent to conduct the courts of the country of which they have an intimate knowledge, and I cannot see any necessity for superannuating them at present, or replacing them by new judges who would be a greater expense and not cognizant of the wants of the country and people for whom they would have to adjudicate.

Hon. Mr. CAMPBELL—There is no one more disposed to listen with deference to the remarks made by the hon. gentleman who has proposed the six month's hoist, than I am, but I should very much deplore if his motion should be successful. Some one must speak for British Columbia, and it seems to me that that some one must be the Legislature of the Province. If it is necessary that it should have not only its own Legislature to govern it, and to say what shall be done with its courts and how many judges there shall be, but that it must have a majority of its representatives in both Houses of the Dominion Parliament in favor of any change that may be proposed, it will be impossible for the Province to preserve its autonomy. If my hon. friend from Ashcroft had addressed those parts of his remarks which referred to the convenient and efficient administration of justice, to the Legislature of British Columbia, he would have been quite right, and his reasoning would have been very strong and cogent, and, for my own part, if I were a member of that Legislature, I should, I think, be disposed to be guided by him ; but here they come to us against the voice of the Legislature of his Province. Now, it seems to me that we should deal with British Columbia as we would with Ontario, and those of us who represent this Province in this House would feel it quite out of the question, I think, to set up our views against those of our Local Legislature. Suppose the Legislature of Ontario desired to concentrate the County Courts, and have one where there are two now, or to increase the number and have two where there is but one now, would any member of this Senate from Ontario rise and say that the decision of the Provincial Legislature was to be disregarded and his view adopted. They would submit to the decision of the Legislature of their Province. It is impossible for Parliament to listen to more than one voice from any province. Take the Legislature of Prince Edward Island, for instance. Suppose that it had a certain view with reference to the judiciary or the judicial districts of the Island, and passed an act to give effect to that view, and that law, not having been interfered with by the Governor General, were to go into operation, is it open for members from that province in this House, to say that the Legislature did not speak the views of the people? If they thought it was a wrong course, they should endeavor to get the Legislature of their Province to come to a different conclusion, but they should not set up their individual opinions here against the views expressed by the Legislature of the Province. The suggestion thrown out by the hon. Senator from Ashcroft, that this change is being made in the interest of certain individuals may be true, but all that we know is, that the Legislature of British Columbia desires the change, and this Parliament ought not to withhold the money required to carry out that change—more particularly this House. If the arguments of my hon. friend on the financial question were addressed to the House of Commons they would be legitimate and proper, but I do not, at all think that his

remarks on the mode of administering justice in British Columbia would be proper consideration for either House, because you must have final authority for each province and it must be I think the Local Legislature. The British North America Act defines what shall be done by the legislatures of the several provinces, and members are elected by the people for the purpose of performing the duties which the British North America Act charges them with. The members of this House are charged with various functions, but, amongst them is not that of deciding upon or being responsible for, or dealing with, the mode in which justice shall be administered. The Constitution says that it shall be done by the Local Legislature, and that Legislature has spoken. I am sure that we all respect the views of the hon. gentlemen from British Columbia, and nobody is more gratified than I am, to see the high esteem in which they are held by this House, but, if we are to listen to their opinion, instead of those of the Provincial Legislature, we shall find ourselves in a dangerous position. It is the duty of this House not to listen to the voice of the hon. gentlemen, charm they never so much, but to the voice of the Legislature of the Province, which has spoken in the way that this Bill proposes to carry out. Then, it is suggested by the Hon. Senator from Amherst—and I am sure that his suggestion is made in good faith, and I so receive it—that we should postpone the consideration of this matter in order to give time for consideration, as in the case of Nova Scotia; but the hon. gentleman's argument does not apply to this Bill. In the case of Nova Scotia it was asserted that the Legislature was moribund, that there was going to be a new general elections, and that the result of it would show whether the existing Legislature had truly interpreted the wishes of the people or not, In the case of British Columbia it is not probable that there will be any change in the Legislature next year or the year after; and therefore the argument that they may change their view does not apply. Supposing that all which the hon. gentlemen from British Columbia have said is right, that the Legislature is wrong and that it is influenced, in this matter, by the personal ambition of some of its members, to which some distant allusion has been made. Nevertheless, if a wrong has been done, it should be exposed in the province and not here. With reference to the financial part of the question, the late Secretary of State has pointed out that the expenses of the judiciary of British Columbia are much greater in proportion to the population than in other provinces, but we must bear in mind that the cost of administering justice is always greater in a sparsely settled country than in a densely populated place. If you have a city of twenty or thirty thousand people to deal with, where the witnesses and jurors are all together, of course it is cheaper and easier than to deal with the same number of people spread over hundreds of miles, where everybody who has to go to a court of justice, has to travel a great distance, and the travelling expenses are very heavy. Allowance must, therefore, be made for the sparse population in British Columbia in considering the cost of administering justice in that Province. Then, with regard to the calculation which has been made as to the increased expense which this change will cause, the first reply is that the House of Commons has seen fit to vote that money, and it does not become us to gainsay what they do with reference to money matters. It should also be remembered that although the County Court judges are to be pensioned, they occupy other offices, and the country may have the benefit of their services in other ways in return for the pensions to be paid to them: so that the change may not entail all the cost that the hon. gentleman supposes. I think that this is very likely, if the County Court judges are the sort of men described by the hon. gentleman who has spoken of them. The pensions would be restricted to those judges who are well advanced in life. With reference to the administration of "rough and ready justice" in a new province, all countries go through that stage. In Ontario, within the memory, not of myself, but of people who have mentioned the fact to me, we had laymen for judges, and they administered justice in that "rough and ready" sort of way, but the country soon grew tired of it, and Parliament put an end to it. I do not remember it myself, but those to whom I have

spoken on the subject, remember when a farmer presided at the court of the county where I reside, and I have no doubt that it was so in other parts of Ontario, but as cases became more numerous and intricate, and as opportunity arose, it was considered very desirable, and, no doubt, was desirable, to substitute lawyers for those laymen. I have no doubt that the same feeling is prevailing in British Columbia, and they desire to put lawyers on the Bench in place of laymen. I should very much regret that this Bill should be rejected at this present time too. A great deal of dissatisfaction has prevailed there, and it is very undesirable to add to it. Whether the Legislature have exercised a sound judgment in this matter, or whether the representatives of that province in this House exercise a wiser judgment, is not a question for us to decide. We must take the voice of the legislature as speaking for the province; and, particularly, as the House of Commons has voted this money, I trust that those who generally support the Government will do so in this instance, because we feel strongly that it is very important to carry the Bill.

Hon. Mr. BROWN—I was quite pleased with the speech of my hon. friend, (Mr. Campbell), just now, but it strikes me that it is in very strong contrast with his remarks last session when we had another Legislature under review.

Hon. Mr. CAMPBELL—What Legislature?

Hon. Mr. BROWN—In the Letellier matter. His speech on that occasion was in striking contrast to his speech to-day, and I am glad to see that there is an improvement.

The House divided on the motion in amendment which was adopted by the following vote :—

CONTENTS

Hon. Messrs.

Alexander	McClelan (Hopewell),
Baillargeon,	McLelan (Londond'ry),
Brouse,	McMaster,
Brown,	Macdonald,
Bureau,	Miller,
Carrall,	Muirhead,
Chaffers,	Paquet,
Christie,	Pelletier,
Cormier.	Penny,
Cornwall,	Power,
Dickey,	Pozer,
Dickson,	Reesor,
Fabre,	Scott,
Grant,	Simpson,
Haythorne,	Stevens,
Hope,	Thibaudeau,
Kaulbach,	Trudel, and
Leonard,	Wark.—36.

NON-CONTENTS :

Hon. Messrs.

Aikins,	Ferrier,
Almon,	Flint,
Archibald,	Girard,
Armand,	Glasier,
Bellerose,	Guevremont,
Benson,	Haviland,
Boucherville, de	Macpherson,
Bourinot,	Montgomery,
Bull,	Odell,
Campbell,	Smith,
Chapais,	Vidal, and
Dever,	Wilmot (Speaker).—25.
Dumouchel,	

SECOND READINGS.

The following Bills were read the second time :—

Bill (92) "An Act to amend the Seamen's Act, 1873." (Hon. Mr. Campbell).

Bill (90) "An Act to amend the Act respecting the Harbor of Pictou, in Nova Scotia." (Hon. Mr. Aikins).

Bill (89) "An Act respecting the Harbor of North Sydney, in Nova Scotia." (Hon. Mr. Aikins).

Bill (91) "An Act to amend the Pilotage Act, 1873." (Hon. Mr. Campbell).

Bill (88) "An Act to amend the Acts respecting the Trinity House and Harbor Commissioners of Montreal." (Hon. Mr. Campbell).

Bill (60) "An Act to amend the Canadian Pacific Railway Act, 1874." (Hon. Mr. Campbell).

Bill (6) "An Act to incorporate the South-western Colonization Railway Company." (Hon. Mr. Girard).

Bill (100) "An Act to amend an Act to incorporate the Detroit River Tunnel Company." (Hon. Mr. Vidal).

The House adjourned at six o'clock.

THE SENATE.

Wednesday, May 7th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

IMPEACHMENT OF JUDGE POLETTE.

A PETITION.

The Petition of N. I. Denemcourt and others, of Three Rivers, praying that a committee may be appointed for the investigation of the facts alleged in their petition against the honorable Antoine Polette, one of the Puisne Judges of the Superior Court of the Province of Quebec, for the district of Three Rivers, and that, on proof of said alleged facts, the Senate be pleased to present to His Excellency the Governor-General, an Address for the dismissal of the said honorable Antoine Polette from said office,

Hon. Mr. CAMPBELL said that there was nothing objectionable in the petition altogether. It was too late in the session to make the inquiry asked for. It would require an address to His Excellency the Governor-General from both Houses of Parliament, and as it was manifest there was no time to inquire into the matter during the present session, he hoped it would drop.

Hon. Mr. BUREAU said he had not read the petition, but he had known Judge Polette for a long time as a very excellent man, and before taking any steps to impeach him before the Senate or House of Commons, there should be very strong reasons for doing so. So far as he had learned, the only reasons advanced against him were that he was very old; that there was a great deal of business to which he could not attend, and that some resolution to that effect had been adopted by the bar of Three Rivers. If there were no other charge to be brought against Judge Polette on which to found an impeachment, it should never have been brought before Parliament.

Hon. Mr. CAMPBELL—There is nothing in the petition further than that.

Hon. Mr. BUREAU—I think it is very frivolous to bring such a matter before the House.

The subject then dropped.

THE PRINTED STATUTES OF CANADA.

INQUIRY.

Hon. Mr. POWER rose to call attention to the desirability of so altering the wording and arrangements of the printed Statutes of Canada as to to provide that hereafter.

"1. Acts shall be cited as of the years of our Lord in which they shall have been passed, either in addition to, or instead of, being cited by the years of the reigning Sovereigns.

"2. The whole table of contents of each volume, or the table of the titles of all the Acts, Orders in Council, and other matters contained in such volume, shall be placed at the beginning of the volume, as in ordinary books; and

"3. The marginal or side notes of the various Sections in each Act or Chapter, shall be printed at the head of such Act or Chapter, besides being printed as at present;

"And to inquire whether it is the intention of the Government to cause the changes indicated or any of them to be made in future yearly volumes of Statutes and in any revision or consolidation of the Statutes."

He said: I think that the object of having Statutes printed at all is to render them accessible to the general public. I do not think that the object of the Legislature, in causing statutes to be printed, is that they should be accessible only to members of the legal profession, but that every person in the country who is able to read should be able to see with as little difficulty as possible what is the law upon any given subject. Although, practically, the great majority of the people do not inquire for themselves as to what the law is, still there are large classes outside of the legal profession who are obliged to do so. I shall try to illustrate my views by calling attention to the position of the

magistrates throughout the country. Every magistrate is obliged, at some time or other, to transact legal business. He is obliged to issue warrants in criminal cases, and summonses in civil and criminal cases. Take for instance the Dominion Statutes for last year, and suppose that some magistrate living in the rural districts has a case brought before him. In the first place, he finds on referring to the Statutes of this year, that he has to refer to the Acts of 41 Victoria. In all probability he does not know what year that is, and he has to examine the Statutes in his possession, or several volumes perhaps, to find out the particular volume he has to refer to. Now, if instead of referring to the Act 41 Victoria, the Statute referred to the Acts of 1878, the magistrate would have no difficulty whatever in finding the volume he wished to refer to. After some trouble in finding the volume he requires, he wishes to find out the particular subject he has to look into, and if he is in the habit of reading other books, he naturally looks for a table of contents, at the beginning of the Statutes, but there is no such table there. After he has looked into the Statutes of 1878, he goes through the book, and after turning over some hundred pages, he finds a table of contents. Then he imagines he has what he wants; but after examining it a little longer, he finds it is not the table of the Statutes for 1878, but a table of contents containing the reserved acts of the former year, treaties, and orders in council. That is not what he wants. He then turns to the end of the book to look at the index, and finds that he has an index only of local and private acts. The probability is that it will take that magistrate at least half an hour before he finds the table of contents or the index in the middle of the book. I think when we have such a large staff of employes as are connected with this Parliament, that the indexes to the statute might be made a little more perfect than they are. As a rule they are what are called single indexes. If there are half a dozen words in the title of an act, it is indexed only under one of these words, and perhaps the word that gives the least idea of the nature of the Statute. It would be better to have the table of contents for the whole year placed at the beginning of the volume; and that table might be subdivided under different heads, so that anyone who took up the volume would be able to find almost immediately the subject that he required. Supposing that our magistrate finally discovers the Statute that he is looking for; it may be an act containing twenty pages, and a hundred and fifty sections, and the particular information that he wants he can only obtain by reading through the chapter from beginng to end, or, if he is unusually shrewd, by going over the marginal notes to every section. Now, if the marginal notes were printed at the head of the chapter, in addition to being printed at the sides of the sections, the magistrate could find at once what he wanted, and would be able to turn immediately to the section that he looked for. I do not think it is necessary to enlarge on the subject. Every hon. gentleman who has had occasion to look into our Statutes, has experienced the greatest inconvenience from the present system, or rather want of system. If any hon. gentleman will take the trouble to see how much better the thing has been done in other places, where much less money has been spent for it than here, and where the staff is much smaller, I would refer him to the Statutes of Nova Scotia. I have before me the Acts of that Province, for 1874. Immediately after the title-page, you find a table of contents, and the titles of all the Statutes are given, divided into public statutes, local acts, and private acts; and in that table we can find every thing that is in the book. Then as you go through the book, the marginal notes or abstracts are collected at the head of each chapter, and by reading from this, you can immediately find any section sought for. At the end is a double index embracing every subject in the book, and it is exceedingly easy to find any act that you wish to refer to. I think that as the changes I suggest do not involve any additional expense, and that if adopted, they would not only be exceedingly convenient to the public at large, but to the magistrates, and also to the legal profession, I hope the Government will see their way clear to having them adopted.

Hon. Mr. DICKEY—I fear that the hon. gentleman who has brought this matter forward, has by no means struck

at the root of the evil. The change proposed would involve extra expense in printing and paper, but the root of the evil lies very much deeper than he has stated. It is in the phraseology and verbiage of our Statutes. It appears to me that their language is unnecessarily diffuse, and more precise and terse language should he used to express their meaning. Some years ago this matter was brought up in the Province of Nova Scotia, where, until that period, the same system of wording the statutes was in vogue, as is unfortunately the practice in the Dominion Parliament. That is to say, when you wanted to express a condition, you use the "provided, moreover, notnithstanding, and nevertheless," etc. I think it is too late in the day for us to continue that system, and I do hope that the Government, or the people who prepare the Statutes, will in some way correct that evil. Of course the evil, so far as our present legislation is concerned, can only be obviated when the Statutes are consolidated, when they can be condensed, as was done in Nova Scotia. The laws of that Province are so concisely expressed, that the public acts are bound up in one book that you can almost carry in your pocket, simply because the language is couched in concise terms, and there is an interpretation clause in the law which defines certain expressions that might be considered too general, and gives them a comprehensive meaning. In that way, I may say there is no difficulty in ununderstanding any statute that is passed in the Province of Nova Scotia, coupled with the headings and indexes which my hon. friend from Halifax suggests. I think that in all future legislation, as well as in any consolidation of our laws, it would be well to bear this in mind. If we take up any section of any statute passed in this House, it will be seen that there is an enormous amount of phraseology that might be dispensed with.

Hon. Mr. WARK—I brought this subject under the notice of the Government shortly after Confederation—that is, regarding the language, and the placing of the contents of the different acts at the head of each chapter. I understood, too, there would be a considerable saving in the printing, if the contents of the acts were placed at the head of the chapter, instead of in the margin. I think I showed the hon. Receiver General at that time the way it was done in New Brunswick, and I afterwards showed it to the Secretary of State of another Government, who seemed to fall in with my views. We had a criminal law on our statute when we came into Confederation, couched in the most neat, elegant, and comprehensive language. With a few amendments it might have been adopted by the Parliament of this Dominion, yet we have a code that is cumbersome and difficult to understand. The impression forced upon my mind is, that this Dominion or this section of old Canada is at least a quarter of a century behind the Maritime Provinces in this respect, and we must just wait patiently until they come up something to our level.

Hon. Mr. CAMPBELL—The subject is one, no doubt, of considerable interest, and I quite join with the hon. gentleman from Halifax in desiring that the Statutes should be made more immediately accessible ; and I also join with my hon. friend who has just spoken, in wishing that they could be made more easily intelligible. Whether that could be accomplished by all the measures that the hon. gentleman from Halifax proposes, I have doubts. His first suggestion that the Acts shall be cited as of the years of our Lord in which they shall have been passed, as well as the years of the Reigning Sovereigns, is one to which there can be no objection : I think that they should be mentioned. The next suggestion is :—

"The whole table of contents of each volume, or the table of the titles of all the acts, orders in council, and other matters contained in such volume, shall be placed at the beginning of the volume, as in ordinary books."

Well, I do not see that it makes any difference whether the table of contents is at the beginning or the end of the volume. This suppositious magistrate he speaks of, could look at one end as easily as at the other. The table of contents is at one end and the index, arranged alphabetically, at the other. It may be that this index is not so thoroughly well considered and prepared as it ought to be, but care is taken to have it accurate. I have occasion to look at the Statutes as often as anybody, and I think that the work is fairly well done, though there is some diffi-

culty in getting at the exact Acts of Parliament one desires. If the Magistrate the hon. gentleman speaks of can find the law in half an hour, I think he is a lucky man.

Hon. Mr. POWER—The hon. gentleman will find that there is only an index to the local and private acts.

Hon. Mr. CAMPBELL—No, there are two indexes. Sometimes they are divided, and I think that is unfortunate. It would be convenient, I think, that some uniform rule should be followed. The suggestions that the marginal notes should be grouped at the head is one that I do not approve of. I do not think that there is much to be gained by it. Surely it is just as easy for the magistrate to look down the side of the Statute as to look at the top for what he wants. In fact I think I should be more likely to find what I wanted by going down gradually, than if all those notes were printed together at the top, and, therefore, if I were the magistrate, I would rather have the Acts printed as they are. With reference to what has fallen from my hon. friend from New Brunswick, I do not think the meritorious position in which the Acts of that province are placed, can be gainsayed, nor do I for a moment deny that the system of indexing followed in Nova Scotia, is better than ours. The merit of that may possibly be attributable to the hon. gentleman himself.

Hon. Mr. POWER—Not at all.

Hon. Mr. CAMPBELL—The law may be more tersely expressed in Nova Scotia than in our Statutes, but the reason why we use the form which we follow is that it is the language used in the English Statutes, and that gives us the advantage of having the interpretation placed by the English Courts upon the laws of that country, worded in the same manner as ours are. Few things could be more valuable in interpreting the Statutes, than to have the opinions of eminent men who are constantly dealing with the same subjects which are likely to come before our judiciary here. For my own part as a matter of plain reading and plain common sense, I think the Statutes which are passed at Washington are superior to those enacted by any other Legislature. They are expressed in plain, direct, terse language which anyone can understand. He who runs may read. I should like very much if we could change our course, and endeavor to make our Statutes as perspicuous and clear as those which are enacted at Washington. I acknowledge the subject is an important one, and so far as the Government are concerned we are as anxious as my hon. friend can be to make our laws as easily accessible as possible, and to have the indexes as perfect as we can make them. I shall draw the attention of the Minister of Justice to the question put by my hon. friend, and take care to impress upon him the views expressed in this House, and I have no doubt that attention will be given to the subject. Perhaps next Session I will be in a position to give some assurance to the hon. gentleman from Halifax which he may consider satisfactorily on this subject.

Hon. Mr. SCOTT—For some years we published the private and local bills in a separate volume, and the confusion was less then than it is at present. I do not remember the exact time when we decided on a sub-division of the public and private acts, but I know, that for a time there were two volumes issued every year—one containing the public acts, with the orders in council issued during the year, and the other, the private acts. Within the last three or four years, the amount of public legislation has been smaller than in former years, and consequently it was thought advisable to have only one volume instead of two, from motives of economy, but in placing the public and private acts together in one volume, the subdivision was adhered to. The contents of the public acts are in the beginning of the volume, the orders in council occupying the preceding pages ; which naturally create some confusion to those unacquainted with the arrangement. It might be preferable to have our statutes divided into volumes of public acts and private acts.

Hon. Mr. CAMPBELL—I forgot to refer to the suggestion offered by the hon. Senator from Amherst, as to making the language of the Statutes more intelligible. With reference to the private bills, it is

not in the power of the Government. In England the Statutes are prepared more under the supervision of barristers, appointed by the Government, than can be the case here. For the language of the public acts the Government are responsible, but in private acts there is no opportunity of adopting any rule in reference to the language of them. I wish we could get at some system to make them more intelligible and more terse in expression. We might submit them to the Law Clerks of each House, but speaking with the greatest possible respect for those gentlemen, I do not know that that has had the effect of making the bills more terse.

Hon. Mr. DICKEY—I qualified what I said by remarking that I presumed nothing could be done until consolidation of the Statutes. I quite agree with my hon. friend, that the object in future legislation can hardly be obtained by referring bills to the same gentlemen who have been in the habit of framing the Statutes in the diffuse manner in which they appear.

Hon. Mr. POWER—In Nova Scotia, where we flatter ourselves we are considerably in advance of our larger neighbors in some matters, the Government, as far back as 1850, adopted the American Statutes as their model, and the Nova Scotia Statutes since then have followed the phraseology and arrangement of those of the United States.

The subject then dropped.

CANADA AND ATLANTIC RAILWAY BILL.

THIRD READING.

Hon. Mr. SCOTT moved the third reading of Bill (33) "An Act to amend the Acts incorporating the 'Coteau and Province Line Railway and Bridge Company,' and the 'Montreal and City of Ottawa Junction Railway Company,' and amending Acts, and to amalgamate the said Companies." He said: this Bill has been so very freely discussed, both here and elsewhere, that I do not feel I should be acting fairly towards the House by occupying time in going over the general arguments which have been advanced in support of this measure. It is quite unusual that a bill asking for a charter for a railway company should receive strenuous opposition. In this case the amalgamated company simply seeks to have a charter granted by Parliament. They have been before this Legislature twice, and on each occasion their application has been met in a liberal spirit. One of the two companies enjoyed amongst its franchises the right to bridge the St. Lawrence. On the occasion of going to Parliament for an extension of its charter that privilege was taken away, and a right to establish a ferry was substituted. These two companies finding that it would largely benefit their financial position if they were to amalgamate, and were to be granted the privilege of bridging the St. Lawrence, have come here to obtain this bill. It has been very earnestly contested, chiefly on account of what is known as the bridge clause. The question of bridging the St. Lawrence was finally, by consent of the opponents and the adherents of the Bill, left to the Government of the day, who were to decide whether a bridge should be granted at all or not, and which should only be granted if it would not interfere with navigation of the river. The Company have consented to take a charter with that qualification. The other clause of the Bill which has excited some opposition —I cannot say very earnest opposition— is that giving the right to amalgamate with American companies. I do not intend to go into a full disquisition on that part of the Bill. It is quite unnecessary. The Legislature has been in the habit of giving to companies whose railways touch the frontier, the right to amalgamate with companies on the other side. It is quite useless for them to run their roads to the frontier, unless they are granted that privilege. The Statute Books are full of charters containing this power—the right to make just such arrangements as the peculiar circumstances of the case would warrant, with the railways on the other side of the line. I do not desire on this occasion to forestall the line of argument which will be taken by the gentlemen who are opposed to the measure, and therefore, I shall reserve my arguments until it is necessary to reply to those who are to follow me. In the meantime I appeal

with confidence to the House to accept the Bill, and to allow it to pass its third reading. It is asked for by the section of the country I have the honor to hail from—the city of Ottawa, and the Ottawa district, chiefly as a means of lifting the lumber trade out of its present depressed condition. Sawn lumber finds its market altogether in the Western States, rarely going further than Albany. It is believed that if this line were under one management, this lumber could be taken to market at a cheaper rate than at present. Furthermore, the country which this route is about to traverse is without any railway communication. The road is in no sense what might be called a competing line, considering the competition in other parts of the Dominion. It is not a competing line in the sense that the Great Western is a competing line with the Grand Trunk. This goes through a section of the country that is entirely without railway facilities, and therefore should receive the sanction of Parliament.

Hon. Mr. ALEXANDER—In rising to move the amendment which I have ventured to put upon the notice paper, I desire to say that I am most reluctant to weary the House by entering into the general question again. I always receive at the hands of the House so kind and indulgent a hearing, that I shall abstain from going into it any further than to show the necessity for such an amendment. In the remarks which I propose to make, it is necessary that I should appeal to this honorable House upon one or two points connected with this question. I ask hon. gentlemen to observe how our astute neighbors of the great Republic have built up their country. By their great acuteness—by their astuteness—by their parliamentary experience, and ability—by their far-seeing power, and by the able statesmanship which they have exhibited in guarding every commercial interest, they have risen to their present position, and the statesmen at Washington have not only given every facility for the extension and development of the material interests of their own country, but we find that they now, as on former occasions, seek to lay their iron grasp upon our interests. It is the complaint of the leader of the Government in this House; it is the complaint of the party of which he is the leader in this House, that the Americans, with their astuteness, have simply endeavored to shut up our workshops and to take our foreign and domestic trade from us. The present Government came into power upon an appeal to the intelligent inhabitants of this Dominion upon that very point, and the country sustained them in endeavoring to check the Americans in their progress towards stopping our industries. I will not enter into the general question of our national policy, or refer to how our neighbors have been quietly sapping our commerce, or how their policy has tended to bring about the depression of which we now complain. On this occasion it is our carrying trade that they are endeavoring to snatch from us, and I fear that from the peculiar views of our own public men, as shown in the remarks made by the honorable leader of the Government in this House, that they may succeed. As long as I hold a seat, humble as I am, on the floor of this House, I cannot refrain from protesting against the views expressed by that hon. gentleman on the floor of the Senate. I ask you hon. gentleman to look at the past history of the United States. If there is any interest which the Americans have guarded with a jealous eye, it is that most important interest—their carrying trade. We have our magnificent St. Lawrence, which appears to be the natural outlet to the trade of the West and which ought to secure the commerce of the States of Illinois, Ohio, Minnesota and other western states. How often have we heard arguments advanced on this very question, that commerce will always find its way down by natural channels. How can those public men who use that argument insult the intelligence of this House and of the country, when they see how the powerful influence of New York, Boston, Philadelphia, and other ports in the United States, have diverted almost the whole trade of the West from our great natural highway, and now we have the melancholy fact before us that, with all the expenditure on our canals, we transport only five per cent. of the carrying trade of the West down the valley of the St. Lawrence. And in connection with the fostering care with which they have guarded their carrying trade, they have

built up their great seaports of New York, Philadelphia, Boston, Portland and Baltimore. I ask the House, are we so blind that we will not follow the example which has been placed before us. The page of history is open to us. We have the history of the United States for the last thirty years, presenting to us the progress their commerce has made. We have seen the success which has attended their policy, and the enormous development of their industries. We see what New York has attained to, and the success of all the leading railways of their country ; and is it possible with such facts before us, that we can blindly allow them to take away our trade, and that we can stand before the whole world as children, with a simplicity which is inexplicable. I cannot understand the extraordinary course pursued by some of the leading members of this House. It is not to be explained. These gentlemen are not wanting in parliamentary experience. They are gifted by Providence with great ability. I do not, on the floor of Parliament, make any charge against them, but I repeat I cannot understand the course they are pursuing with regard to this great question. They have advanced no arguments in defence of their position ; it is a mystery which shocks the moral sense—which shakes society to its very centre—which destroys all faith in the future of the Dominion ! The ex-Secretary of State says it is only a railway to carry off the lumber of the Ottawa Valley—merely a road for the use of the people of Glengarry to take their produce to market. I have already shown that it is a great scheme conceived and promoted by foreign influence. What is the position of these two small companies that seek to be amalgamated ? They profess to have subscribed unitedly $55,000, of which amount they have not paid a single dollar that I can see ; and is this not a simple case of being placed in a position to offer a charter for sale ? They are going to the Americans to sell it. They are going to give a foreign railway ring the control of our carrying trade. A child can understand this. It is all very well for hon. gentlemen to laugh, but do they suppose that these capitalists of New York and Boston would expend millions of dollars in building a bridge across the St. Lawrence for the sake of getting the lumber of the Ottawa Valley ? We know that the lumber of this section has been very much exhausted. The amount of lumber still to come from the Ottawa Valley cannot be of great proportions, and can we suppose that Americans, knowing the value of money, would build a bridge costing such a large amount, unless they had the hope of sharing a large portion of the trade of the west and carrying it to American sea ports, to the utter destruction of Montreal, Quebec and Halifax. A kind Providence has given us a great country to develope, but if we act in the manner in which some members of this House would advise us to do, I want to know what hope we can entertain of a great future for our country. We know the certain result of the successful carrying through of this measure, if the bridge clause is passed. It will enable the capitalists of New York, with their enormous means, to sweep away our trade and destroy our railways. Will anybody tell me that our great trunk lines can be sustained by local traffic entirely. Anybody who would say so would be pronounced demented. No member on the floor of this House can say that our railroads, which are a striking advertisement of the progress of our country, can succeed if they are subjected to ruinous competition, and I ask if that man is a patriot or an honest man, who would raise his hand to destroy our railway system. Those roads have been built up chiefly by British capital. The shareholders of one railway who invested in it £8,000,000 stg. have not received a farthing of dividend for years—the shareholders of another road have never received any dividend at all. The effect of this legislation, if carried through, will utterly destroy, not only the stock, but the value of the bonds also, the value of which depends upon the through freight traffic. Those hon. gentlemen who support this Bill may live to see those railways in the hands of receivers—most of them in a bankrupt position ; the bridges rotting down, and the bondholders unable to provide the means to run them any longer, and human life no longer safe upon them ? Hon. gentlemen sneer and laugh when I say that it shocks the moral sense; but I ask have I not good reason to use such an expression ? British capitalists, who trusted in the good faith of Canada,

have invested millions of pounds—perhaps their all—in constructing our railroads. Amongst others, widows and orphans hold the stock of these roads, and, now that their money has been employed in developing our country, they find us acting on the selfish principle, that because the Americans desire to come in and sweep our traffic from us, we are willing to grant them charters in order that these railway companies may compete with each other, and we may have our freight carried for little or nothing. Can we expect a blessing from above upon a country which is actuated by such a principle? I say that it is impossible. Providence will never smile upon a country which adopts such a policy, and I regret to see the leading press of this country—the leading press of Toronto—advocating such a policy. Such sentiments and views we ought to be ashamed of. Such a policy will sink us in the estimation of men of honor and of British capitalists. Our public credit will stand low in the Mother Country, for, if there is any land where honor in public men is valued, it is in England. We should endeavor to follow the straightforward principles which, under the blessing of God, has raised Great Britain to the position she now occupies. Here are we, a young country, placed in a favorable position by Providence, and we are not satisfied to develope our resources honestly, but we are schooling the people in the debasing principle of encouraging companies to build roads to destroy each other, and educating them to expect that their freight should be carried for nothing. Is it a principle of live-and-let-live? Is it not a principle that any hon. member should be ashamed to advocate on the floor of Parliament? I hear some of our public men say that we cannot have too many railroads. Do they think of the thousands of upright citizens who will be ruined by such competition? Do they consider the interests of those whose capital has been employed to develope our country? Have they no gratitude for past services? I ask is that a principle which an honest press should advocate? I hope that the House will unanimously adopt the amendment of which I have given notice. With the feelings I entertain on this subject I would be disposed to move the three months' hoist, but I think it is more prudent to submit this amendment. The tenth clause of the Bill is as follows:—

"The said Canada Atlantic Railway Company shall have the power to amalgamate with any other Company or Companies, now or hereafter to be incorporated within or without the Dominion of Canada, by deed executed by the said Companies so amalgamating in such manner, on such terms and conditions and under such name, as may be agreed upon between them; and such new amalgamated Company shall, after the completion of such amalgamation, have all the rights, powers and privileges of either or any of the said Companies so amalgamating, and shall become vested with all the franchises, assets and properties of the said Companies so amalgamating; and the said Canada Atlantic Railway Company shall also have power to lease or purchase the road or roads of any such other Company or Companies, or to lease the said Canada Atlantic Railway and Bridge to such other Company or Companies on such terms and conditions as may be agreed upon between them."

What can induce Parliament to grant such powers to the Americans, whose capital alone can build this road, to build up their own sea ports at the expense of this country? What can induce Parliament to grant to foreign interests unlimited powers which we deny to our own railways? Do I use too strong language when I say that it is monstrous that any member of this House should entertain such a view? If you look to the State of New York, or to Pennsylvania, you will find that they never give powers of amalgamation or leasing, unless the company with which the union is to be effected is specified? yet here we seem to have lost all consideration for the future of our country. I beg to move that the 10th clause be struck out, and the following be inserted in lieu thereof:—

"The Canada Atlantic Railway Company shall have power to make running arrangements with any Railway Company in Canada or the United States, with the line of which connection shall be made by the railway of the Canada Atlantic Company."

Hon. Mr. KAULBACH—I have a very strong feeling that this Bill is not in the interest of the Dominion or our railway policy, or the national policy of this country. We have expended a very large amount, millions of money, in constructing the Intercolonial Railway, subsidizing railways, and building canals, to be channels for the trade of the country, and I believe that no greater injury could be inflicted upon us—nothing could be more suicidal than to divert the trade of the great North-

West from Canada, and hand it over to a huge monopoly whose sole object is to shunt it into the United States. It is not in the interest of our people in the West, because it will surely tend to lessen the commercial interest which we, in the Maritime Provinces take in their welfare and prosperity. One of the strongest reasons for building the Intercolonial Railway was to connect the provinces, keep our trade in our own country —that the railway should be one of the national channels for freights, and that the Maritime Provinces might get their share of the benefit of it. I ask what is the use of spending our money in building railroads and perfecting our canal system, if the policy advocated by some hon. gentlemen in the Committee and in this House in relation to this Bill is to prevail—that our trade should find its way to the best market by the shortest and cheapest route? If that be the true principle in the interest of the country, there is no necessity for the Intercolonial Railway at all. We are spending large sums of money in enlarging the Welland Canal, and improving the navigation of the St. Lawrence for ships, in order that the trade of the West may flow through its natural channel, the St. Lawrence—and through the Maritime Provinces. Yet here we are empowering the Government to say whether a railway company —another powerful Vanderbilt ring—shall have control of, and shall have the right to obstruct, the navigation of the great river which we are paying so much to improve. I object to the Bill on two grounds: First, I do not believe that it is in the interests of the Dominion as a whole that its trade should be diverted into the United States; Montreal, Quebec, St. John, and Halifax must suffer great loss; and, secondly, I do not believe that it is in the interest of this country that the navigation of the St. Lawrence should be obstructed. That this bridge, if built, will be an obstruction, there can be no doubt. This Dominion is yet in its struggling infancy. We cannot say what we will be. We can hardly fancy what the trade which will pass down the St. Lawrence from our Pacific Province and the great West will reach in the future. Should we now permit a company in perpetuity to obstruct that mighty river just above the head of tide navigation, with a bridge or bridges which may prevent the deepening of the Coteau Rapids, to render it navigable for large vessels? I hope the good sense of this House will say no. We have the evidence of Mr. Page, an eminent engineer, who says that a bridge at that point will be an obstruction. The ex-Secretary of State talked about the lumber trade of the Ottawa Valley. That trade has proved not only ruinous to many here who have engaged in it, and others have suffered through it, and nobody will say that a company would expend a million of dollars in constructing a bridge merely to accommodate that interest. I do not think that we should relegate to the Government the power to legislate in such matters. We should not divest ourselves of our duties and responsibilities. The responsibility is too great for any Government, and we should relieve them of it. I think that it is not in the interest of the country that we should invest them with such power and legislate by order in council. It is proposed by this Bill to grant privileges to this Company greater than have ever been conferred upon any other railway corporation by this Parliament heretofore. It is allowing these men after bridging the St. Lawrence and constructing this road to amalgamate with, or lease their property to any railway company in the United States that now or that hereafter may be in existence. To my mind, this is calculated to weaken the interest which the Maritime Provinces feel in the great North-West. We have been led to believe that Halifax would naturally become the winter port of the Dominion, yet here we grant a charter to a company whose object is to carry to American seaports the bulk of the trade which should pass down the Intercolonial to Halifax. Why should we subsidize the extension of the Canada Central, and expend our millions of money in building the Georgian Bay Branch? Is it to feed the railway system of the United States with our products just as they reach tidal water? It seems to me that will be the result if we pass this Bill, and that we will have expended our money for the benefit of the mighty Vanderbilt. I cannot conceive how the Government allowed such a Bill to reach its present stage; they should have con-

demned it at its inception. We have felt that there is a community of interest between the Provinces of this Dominion, and that the prosperity of anyone of them will benefit all, and on that ground we have advocated the construction of the Pacific Railway and the enlargement of the St. Lawrence canals. Yet, after doing all that, and declaring that the St. Lawrence shall be a highway for ocean vessels, we permit a railway company to obstruct it with a bridge. Even if that structure is to be built on a high level, it will prevent the passage of masted vessels. We are placing a dagger at the heart of our commerce. We are not only impeding the navigation of the St. Lawrence for all time, but we are allowing a foreign railway company to divert our trade from our own railways and from our own sea, ports—trade which should be carried down the Intercolonial and assist in building up Halifax. I entreat my honorable friends from Halifax to pause and consider. It is a suicidal policy. We are declaring that the provinces have no need of each other. The lumber trade of the Ottawa Valley is a mere myth compared with the other interests which are affected by this project, and if those engaged in it would employ their capital in some way, they would have a better return for it. We find that neither the Grand Trunk or Intercolonial railways are worked to one-third of their capacity, and if we let our own railways go down or become impaired, we will have to travel over them at the risk of our lives. No man, looking at the map, can say, that the construction of this line will not interfere with our carrying trade. After bringing it to within a few miles of tide water, it is proposed to shunt it off to the States of New York and Massachusetts. Montreal is the second New York of this continent. We see how our neighbors have built up their great metropolis by taking advantage of every means, natural as well as artificial, which would aid them in the work. If we are careful to bring trade through our own country, and make Montreal what it is destined to become—the grand emporium for the trade of the West — we, in the Maritime Provinces, will share in its prosperity. I ask my hon. friends from Manitoba and British Columbia to say if, after the immense amount of money we have expended, and are now expending, to develope their resources, they will permit the trade of the Dominion to be diverted from Montreal and the Maritime Provinces into the United States. If they will be parties to such an arrangement, I tell them that, so far as I know and believe, the interest we have in them is gone, and that, in the future, so far as our commercial interests are concerned, we will be as disunited as we were before the union of these provinces. In conclusion, I will say that we are spending now about ten millions dollars a year on public works to make the St. Lawrence and our own railways the highways of trade and commerce, throughout this Dominion, from the Pacific to the Atlantic coast; and we have embarked in a protective system, with a national policy, to develop the trade, industry, and commerce of this country. Is the Government — are my hon. friends now ready and willing to abandon their principles, and advocate free trade, and cheapest and nearest markets in the United States? They are doing so if this Bill passes, and the Government suffer a company to build a bridge—either a high level or low level, or any other kind—across the St. Lawrence, to connect with, and be absorbed by, the American railways.

Hon. Dr. CARRALL—I think I never heard a more uncommercial speech than I have just been compelled to listen to from my hon. friend on my right. Now what are the facts. I take it as a principle that commerce, like water finds its level; if the people of this Dominion find it to their interest to usurp, occupy, and employ the lumber markets of the United States with their products, I do think it would be an act of injustice on our part to refuse to open the door to these markets, though it may be unacceptable, financially speaking, to the Grand Trunk Railway. I have great sympathy for existing corporations, and would protect them to the utmost. I know very well that the pocket of John Bull the bondholders of the Grand Trunk—has suffered very severely, but at the same time I do not think that it behoves us Senators of the Dominion to legislate in the direction of fortifying monopolies. So far as this project is concerned according to what I have learned from

experts, it would be no impediment to navigation. I have seen the bridges over the Mississippi and the Missouri. I have seen the Victoria Bridge at Montreal, the bridge across the St. John River in New Brunswick, and in other places, and I noticed on my way to Ottawa that it is proposed to build a bridge from San Francisco to Oakland. On the River Thames, where an enormous traffic exists there are a great many bridges and I can see no objection to the construction of this bridge on the ground that it would be an impediment to navigation. To my mind that argument falls to the ground. We have the power to legislate in this matter—we have done so already and if in spite of our tariff the Americans build our railways and buy our lumber, and our people find it advantageous to sell to them, let us facilitate the objects they have in view as much as possible. For my part I will record my vote for the Bill.

Hon. Mr. REESOR—In listening to the arguments that have been advanced against the amalgamation of these two companies with the powers they ask, I confess I could not find that they rest upon any substantial foundation. The main arguments upon which the opponents rely are: that the navigation of the St. Lawrence would be seriously interfered with to the damage of the trade of the Dominion; that the whole railway traffic of the country would be injured on account of having the western trade tapped at this particular point, and a certain portion of it being prevented passing down the Grand Trunk Railway at Montreal. In regard to the navigation of the St. Lawrence it does appear to me that if the time should come when the channel has to be deepened and rendered navigable from the Coteau to Montreal, for a different class of boats than pass down at present, I do not see how it is possible that the location of abutments, 200 feet apart, can prevent the improvement of that channel. If it made any difference at all, the erection of these abutments, I maintain, would rather tend to deepen the water in the channel, without having to remove rocks or boulders, and without any other effort being made to increase the water level, so that instead of navigation being impeded or injured by this project it would rather be benefitted. It is claimed that the erection of these abutments would raise the water level on Lake St. Francis some five or six inches. It has been so stated by one of the engineers. Another engineer, of equal professional experience, does not think it will raise the water two inches. But, supposing it raised the water level five inches, the better it will be for navigation, and it would require so much less excavation to get a deeper channel for a larger class of steamers. In the meantime that section of that river is used for purposes of navigation to a very small extent. One or two steamers a day are all that pass down, and none pass up—they come up by the canal, and no change in the channel of the river will ever enable them to ascend the rapids. It has been contended that inasmuch as the River St. Clair is not bridged, and that the United States and Canada have not consented to a bridge being constructed over it, that no bridge should be allowed at the Coteau. That inasmuch as ferry boats are used to connect railways on either side of Lake St. Clair, so also a ferry boat should be used to connect the railways on both sides of the St. Lawrence. The two cases are widely different. In the case of the River St. Clair, the channel is open and navigable the year round. At no season of the year is the ferry boat prevented from going across that river, while the St. Lawrence is frozen up for nearly six months of the year, so that the railways on either side would be of little use to the inhabitants—especially so far as the southern shore is concerned, because freight would have to be transshipped in sleighs across the ice in order to reach the Grand Trunk on this side, to be carried to Montreal. The inconvenience would be so great that it would be practically unbearable, and these roads would be comparatively useless. On the other hand the project would do little or no harm to any other interest. It has been contended that it is not only the local trade that the parties interested in this railway are aiming at, it is said that these roads would tap the trade of the North-West, and carry the immense products of Manitoba and the North-West Territories to United States seaports, instead of allowing it to pass on to our own ports by the Grand Trunk and Intercolonial Railways. Now, whether the trade of the north shall be carried in this

direction or not, will depend entirely upon whether this line will carry their produce more cheaply to the seaboard than any other line can afford to do. If it will practically bring the consumer and producer nearer together, and place in the hands of the consumer—no matter where he may be, whether in the United States or in England—the produce of the North-West, at a less cost than it can now be delivered, it will be an advantage to the producer. Will any one tell me that we should expect the producer in the North-West to sell his grain at a lower price, 3, 4, or 6 cents a bushel—as he would have to do if it were carried by the Intercolonial Railway—that he should be compelled to carry it by that route? That would be putting a tax upon his produce that no people would bear. It would be an interference with trade, that no government would be justified in exercising, and that no free people would submit to for a moment. The produce of the country must find every outlet that nature and enterprize can afford. You might as well say to the people of Manitoba, that just as soon as the Pacific Railway is completad they must send their freight to the East by that route, instead of by the Pembina Branch, although the Americans might come to the frontier, and offer them a larger price for their grain than they could get by shipping it over the Pacific Railway. I am surprised that any member of the Senate should conceive it possible that the people of any province of this Dominion would submit to anything of the kind. If the Pacific Railway should be completed in the next twenty or thirty years to the Pacific Ocean, and the Americans should run a branch of the Northern Pacific Railway to the frontier of British Columbia, would you compel the people of that province to ship their grain over our Pacific Railway, when they could get a larger price for their produce in the United States! Not a bit of it. As much as British Columbia might think of their connection with the Dominion, they would never stand anything of the kind, and you could not blame them for it. I maintain that whatever affects the prosperity of a single province must indirectly affect the prosperity of the whole Dominion, and the trade of this Dominion must be based upon that principle, and by that principle alone, our Legislation shall be guided. I do not apprehend, however, that this road is ever likely to take away the main part of our trade from the proper channel, and I believe the city of Montreal will continue to be the entrepot of the trade of this Dominion. I do not care how many railways may be built for us by the Americans, and I am quite willing that they shall build as many as they please. I believe the great entrepot of the Dominion is likely to be Montreal; Toronto coming next, and Halifax and St. John having their proportion. But all these cities must depend upon the natural growth of trade, and they must be content that trade shall be allowed to take such channels as will secure the cheapest and most speedy outlet for the products of the country. It may further be said that the people of this section of Ontario lying between the Ottawa and St. Lawrence, and the people in the three or four counties lying South of the St. Lawrence, have contributed equally with their fellow subjects throughout the Dominion towards the construction of great public works—the Grand Trunk Railway, and the canals, and is it to be said that these people are to be shut off from having a road of their own by which they can get to their markets at all seasons of the year? It would virtually amount to that, if you deprive them of the right to construct this bridge across the St. Lawrence. It cannot be for a moment claimed that it will be an interference with the navigation, but the Bill provides that if the Government find, after thorough investigation, that such a bridge cannot be built without interfering with the St. Lawrence, the clause can have no effect, therefor the passage of the Bill can do no harm. But if they find, upon careful and thorough investigation that such a bridge can be built without injury to the navigation, they can consent to its being constructed, and I am sure hon. gentlemen in this House who have confidence in the Government are not likely to interfere or withdraw their confidence at a time like this when by passing the Bill they can do a great deal of good to their country.

Hon. Mr. VIDAL—My hon. friend who has just resumed his seat, doubtless, unintentionally, sadly misled the House

in reference to this question. He has spoken as though he were quite familiar with the navigation of the River St. Clair; but he has made a very serious mistake in alleging that the waters of that river can be crossed at Sarnia at all times of the year by ferry boats. It has only been the case in an average proportion of two out of three seasons during the forty-four years that I have resided there, that the river has not been completely closed with ice, and no ferry boat could be kept running across except at very great expense. Even last winter, the powerful ferry boats employed by the railway companiss were unable to forge their way through the ice, and one of them got stuck in the ice and had to remain there several days with a quantity of freight. It is very well known that at Detroit and Windsor a similar difficulty is experienced, and I have often known the river to be so closed at those places, that there could be no communication in the way of taking cars across for several days at a time. The channel is only kept open at all at considerable expense. Now, it so happens that the hon. gentleman is equally mistaken in regard to the Coteau Rapids. The idea of saying that a rapid current, running seven miles an hour, freezes up in winter time is absurd. It is not possible. Even at Prescott, where there is less current, the river is kept open all winter; there is not interruption to traffic even for a single day, and constant communication is maintained between the railways on both sides. So that his statement as to the ease of crossing the St. Clair, and the difficulty of crossing at the Coteau, is to the very contrary of what is really the fact. The difficulty is at the Detroit and St. Clair, and the easy crossing is here. It is, however, sufficient for me that one of the highest engineering authorities in the country has stated in the most incontestible way, that the construction of a bridge at the Coteau would interfere very seriously with the navigation. The hon. gentleman can set up his opinion against that of Mr. Page, but he cannot expect that it will be accepted by this House in preference to that of the Chief engineer.

Hon. Mr. REESOR—My opinion is Mr. Shanly's opinion also.

Hon. Mr. VIDAL—But the hon. gentleman actually goes further: he tells us that the building of the bridge at the Coteau will be an improvement to the channel by raising the water level. I would ask the hon. gentleman if he knows the position of the obstructions in the St. Lawrence at Coteau, the removal of which is to improve the channel. I think if my hon. friend enquires more closely into the question, he will find that the obstructions which Mr. Page speaks of removing, are below the bridge, and there raising of the water level above the bridge will have no effect whatever upon the channel below the bridge. I think we have sufficient evidence before us, to prove that the erection of a bridge on stone piers at that part of the St. Lawrence would be a very serious obstacle indeed to the navigation of that river. Allusion has been made to the existence of bridges across the Mississippi and Missouri Rivers. What has that to do with this matter? We are now dealing with the St. Lawrence. It has been stated in Committee that we have already bridged the St. Lawrence. Now I contend that we have no bridge across that river which interferes with the current of trade. The only one at all bearing upon this is the International Bridge at Buffalo, but very little trade passes down the Niagara River at that point. The Welland Canal has taken the place of the river, and through it all the commerce between Lake Erie and Lake Ontario passes. My objection to the Bill rests chiefly, as the ex-Secretary of state has remarked, on the 4th clause authorizing the construction of a Bridge. My first objection to it is that this very clause was deliberately struck out of the charter of the company by this House two years ago; and it does seem to me that we should be stultifying ourselves and making ourselves ridiculous in the eyes of the people to say that we will, after expressly taking away power to build a bridge in 1877, restore that power in 1879 without any reason for the change having occurred in the meantime. It does appear to me that it would be a stultification to which we ought not to commit ourselves. It has been argued that the matter having been relegated to the Government, that we should allow the decision of the matter to rest with them; and my hon. friend has thrown out the hint that any body presuming

to differ from them in this case is almost withdrawing his confidence from the Government. If it is any comfort to him for me to state it, I wish to inform him that I have perfect confidence in the Government, and I do not believe that they will ever consent to permit a bridge to be built there. My objection to this provision is this: that it is not proper that the legislature of the country should delegate to the Government the power to decide a question of that kind. It is a power which belongs inherently to the Parliament of the Dominion, and it is unwise and improper to transfer it to the Administration of the day. We may have perfect confidence in this Government, but who knows what change there may be before twelve months pass over our heads, and before this bridge could be commenced.

Hon. Mr. HOPE—Hear, hear.

Hon. Mr. VIDAL—I say that our confidence in the Government of the day should not lead us to take an improper step, and to put out of our own hands the decision of a question which properly belongs to Parliament. Is there any immediate hope for the erection of this bridge? I think not, and if there are any doubts on the question, why can we not wait until another session. It will afford time to get the opinions of engineers, and to have all the facts conneeted with the bridge before us, and we will then be in a position to give an intelligent decision on the question. The Government itself, must have such evidence as we would need before coming to a conclusion on that point. These are my chief objections to the Bill and although they are not the subjects mentioned in the amendment introducod by the hon. Senator from Woodstock, it was agreed at the second reading of the Bill, that the discussion at this stage should be general, and, therefore, there is no impropriety in my allusion to a section of the Bill, which is not immediately before us. The amendment which the hon. Senator from Woodstock has proposed to make to the tenth clause of the Bill, is identical with one which I moved in the Railway Committee, and failed there in carrying it by a very narrow vote. I agree with many of the remarks made by my hon. friends from Woodstock and Lunenburg. I share, to some extent, in the alarm which has been very naturally and properly expressed as to what would be the possible, perhaps probable, results of admitting the principle embodied in the tenth clause of this Bill. It has been said that charters have frequently been granted with this clause. I contend that there are points of difference which have not been explained. One is this: that this Canada and Atlantic Company is to be empowered to amalgamate with any other railway company in Canada or the United States, now or hereafter to be incorporated. It is proposed to give powers to form unions, which parliament might disapprove. No injury would be done to this Company if this power were withheld. Should it be considered desirable in the interests of this Company and of the country at any future time to amalgamate with any other company, it would be easy for them to come to Parliament, and obtain legislation to sanction it. What we want is that, Parliament shall know the company or companies with which these corporations may wish to unite, in order that we may have an opportunity of guarding the interests of our railways from the grasping selfishness of the people of the United States, who, for aught we know, are seeking, by purchasing the charter of this Company, and building this bridge across the St. Lawrence, to obtain such control over the trade of Canada as will be ruinous to our existing and prospective railway interests. It is quite possible that this is the object of some American company to sweep our traffic from us, or to force it through United States channels. However, it may be argued that this is a mere matter of opinion. Again, I object to the last few lines of that tenth clause, where power is given to lease this road on such terms and conditions as may be agreed upon between the parties. It is the boast of this House that we are impartial in our legislation. But it so happens that an attempt was made to attach a clause like this to a bill which was recently before us, and, as a matter of fact we refused to give that power. And from whom was it withheld? It was withheld from our own railway—the Grand Trunk—a railway whose interests and those of Canada are one. Yet here we are asked to do for a foreign company, which has no interest in Canada

whatever, what we expressly refused to do for the leading railway of the Dominion —that is, to allow it to become the lessee or purchaser of the railway for which we are asked to grant a charter. Is this the sort of legislation that should pass in this Parliament? I trust that the House will see that it is an impropriety of which it should not be guilty. I think that the amendment meets all the requirements of the case. If this road is to go on, let it make running arrangements with other companies, and if, as I have already stated, they should hereafter desire to form a more intimate union with other companies, let them come to Parliament to ask for legislation to sanction it. I do not see why this company should have privileges conferred upon it which we have refused to grant to other companies. While giving power in this Bill to bridge the St. Lawrence at Coteau, what do we find in the west? We find the Detroit and St. Clair Rivers, which our own railways require to cross, are not bridged, and that railway trains are carried across to the State of Michigan by steam ferry boats. Perhaps no very great interest of navigation are concerned in this matter at present, but, as to the future, we know not how soon the obstructions in these Coteau Rapids may be removed, so that vessels navigating the waters of the upper lakes may pass down to Lachine without having to go through the Beauharnois Canal. Such, I believe, was the opinion entertained by the late Minister of Public Works. I think that these points are of sufficient importance to warrant us in accepting the amendment which has been proposed by the hon. Senator from Woodstock.

Hon. Mr. DICKEY—I regret that I was not fortunate enough to catch the Speaker's eye before my hon. friend from Sarnia arose, because I proposed to direct attention to the irregular manner in which this subject is being discussed. We are getting into a vicious course, when the question is simply the amendment of a clause, to go into a discussion of the whole Bill. That is a matter which can be more properly and regularly discussed on the motion for the third reading. At present the question is simply whether the amendment which has been moved shall be adopted instead of the tenth clause. I do think that a most irregular course has been pursued by the hon. gentleman who commenced this discussion, and tempted other hon. gentlemen to answer them in the same way. I will first dispose of my hon. friend who has just sat down. I think that he is the last member of this House who should ask us to strike out this clause and adopt the amendment offered by the hon. Senator from Woodstock. The hon. gentleman knows very well that this clause appears in a dozen charters which have been granted to railway companies by this Parliament. Does he not know that we passed this session a Bill incorporating the Atlantic and North-Western Railway Company, which contained a clause which, I will not say was identical, but was similar to this one. Does the hon. gentleman not know that he has got upon the table of this House a Bill asking for similar and even larger powers? I say it would have been becoming in my hon. friend to have paused before making the objections which he did to this Bill; it would have most effectually shut his mouth from speaking in the manner in which he did. The hon. gentleman has a Bill now before the House not only giving a company power to construct a tunnel under this great outlet of the eastern half of the continent, but it also gives them—a foreign company, by-the-bye—the option of bridging it. It is not at all likely that the House will be misled by any such fallacious arguments as we have heard from the hon. Senator from Sarnia. The two clauses of the Detroit Tunnel and Bridge Company's Bill are as follow :—

"1. The twenty-fifth section of the Act, passed in the thirty-third year of Her Majesty's reign, chapter fifty one, is hereby repealed, and the works authorized by the said Act shall be constructed and completed within four years from the passing of this Act.

"2. All the powers conferred by, and provisions contained in, the said Act, as hereby amended, may be exercised, and are declared to be and are continued in full force, notwithstanding any lapse of time."

Now, the powers conferred upon that Company are to build, construct, maintain and manage, at their option, a bridge or a tunnel for railway purposes. I am not objecting to this Bill. I say that it is quite right that they should get those

powers. But I mention the fact that they have the right to construct a bridge over a river where there is fifty times the shipping that exists at the Coteau Rapids. Now, what is the use of deceiving the House on this subject. That very Act requires that the plans of the bridge over the Detroit River shall be subject to the Governor in Council for their decision, just as in this case, but with this difference, that in the Bill before the House, the fourth clause only gives the power to construct a bridge in case the Government shall see no objection to it in the interests of navigation. But in the case of the Detroit River Company there is no restriction whatever. My hon. friend talks with a great deal of speciousness—as he is quite capable of doing, and has a perfect right to do—about objections to amalgamation. But what do we find in this Bill on the table which the hon. gentleman himself is promoting. We find that all the powers that the Canada and Atlantic asked for are granted to this Detroit Bridge and Tunnel Company; and I am quite sure that the House will grant those powers, though the hon. gentleman tells us it is very wrong to ask for such a thing; and the twenty-third section of the Detroit River Company's Bill gives them power to amalgamate, not merely with Canadian companies, but with companies which are, or may be, incorporated by the laws of the State of Michigan.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. VIDAL—My hon. friend is discussing a bill which is not before the House at all.

Hon. Mr. DICKEY—When the hon. gentleman claimed the indulgence of the House to speak on a point which was not before it, and, was permitted to do so, he certainly should allow me to continue my argument. This is the answer I have given to my hon. friend, and it is not a mere personal retort. It shows that there are precedents for legislation on this very point. I must say I am surprised at the course of the hon. Senator from Lunenburg, and others on this subject, because we have precedents without number. We have them in measures at this moment passing through Parliament. Why therefore let this bugbear be raised at this moment; and why should a proposition be made to strike out powers which we have given to a dozen companies, including that which my hon. friend from Sarnia is promoting in this House. That is a complete answer to the amendment. I have no interest in this matter, but I felt it my duty on a former occasion, when I had not studied the question, and when I thought that it was unprecedented to ask for such powers, to look into the matter, and I found that I was wrong. I don't hesitate to acknowledge it. I found that there were numerous precedents for granting such powers, and I withdrew my objections, and allowed the Bill to pass without any opposition. When we come to the third reading, I will discuss the general question. I am surprised at the principles laid down by the hon. Senator from Lunenburg. One would suppose that the Intercolonial Railway was meant to be the only outlet in winter for the whole western trade of the Dominion. Now, I must expressly disclaim for those whom I represent here any such contracted notion. On a former occasion I was glad to hear my hon. friend from De Salaberry announce that he approached this subject with no local or sectional views. I think that is the correct principle, and I do hope that it will be adopted by my hon. friend from Lunenburg. When the Bill comes to the third reading, I think I shall be prepared to show that this project is in the interest of the Lower Provinces; but for the present, I will merely remind the hon. gentleman that we have already charted the Atlantic and North-Western Railway Company, whose road will run from Sherbrooke to St. John, N. B. It will shorten the distance from Montreal to St. John three hundred miles, and to Halifax nearly two hundred miles. If the Company whose Bill is now before the House is not allowed to construct a bridge, the other company will be obliged to construct one at an enormous expense, which may, perhaps, break them down. At all events, they will have to use the Victoria Bridge for the present. My hon. friend's views about Halifax being the winter shipping port for the lumber of the Ottawa Valley, seem to be out of place, because the market for the sawn lumber is in the United States, and should be carried there by the shortest route.

Hon. Mr. KAULBACH—The hon. gentleman is quite mistaken. I never for one moment, contended that Halifax should be the only outlet for the products of the West; and as for the lumber of the Ottawa Valley being forced down to Halifax, I never dreamt of such a thing.

Hon. Mr. DICKEY—I am glad that the hon. gentleman's views so nearly approach my own; for if we were to prevent trade passing into the United States from Ontario and the far west, we would be obliged to destroy the Suspension Bridge at Niagara, and the International Bridge at Buffalo, and shut up the line to Portland. That would be the effect of the policy which he advocates. But I do not wish to go into that question now, because it is not germane to the subject before the House, which is whether the tenth clause, giving the amalgamating powers which are conferred upon almost every railway company whose line touches the frontier, shall be struck out, and another one, empowering them to make running arrangements merely, be substituted.

Hon. Mr. POWER—I propose to vote against the amendment of the hon. Senator from Woodslock, but, as I voted for it in Committe, I think it is necessary that I should explain very briefly why I have changed my mind. I voted for the Bill, and I am very much in favor of the railway and the bridge for reasons which have been made plain to every member of the House. When the Bill was before the Committee it struck me that the powers given in the tenth section were rather extensive, and, to my mind, objectionable. I was not aware at the time that this same power which is conferred by this section, is contained in other acts which are at present on the Statute Book; and it seems to me that it would be unfair to the promoters of this measure to enforce, in their case, for the first time without any notice, a rule which has never been enforced before. I may say, I think, that in future it would be wise for the Legislature to be a little more chary in granting such privileges as the one given in this Bill. For the reason I have given, and for one other, I propose to vote against the amendment. The other reason is that I have been informed by the gentlemen who promote the Bill, that if this tenth section were eliminated, the measure would probably be worthless; and, as I have been from the beginning in favor of this Bill, and would be sorry to see it defeated—although the tenth section is not one that commends itself to my mind—I think I would hardly be justified in voting for what would be practically the defeat of the Bill, for the purpose of carrying out an individual opinion of my own, which it is possible may not be a correct one. Having said that much on the tenth section, I may say a few words on the general question. My hon. friend from Lunenburg said very properly that there were two objections urged to this Bill—one, that it proposed to build a bridge across the St. Lawrence at Coteau which would be an obstruction to navigation; the other that this road would interfere, injuriously and improperly, with the existing highways for traffic. Now, I do not profess to be an engineer, or to know much about engineering, but we cannot help looking at actual facts. I have not travelled as far as a great many hon. gentlemen in this House, but I have travelled far enough to see swing bridges of this kind in operation on rivers where there is at least a hundred times as much traffic as is likely to be done at this point of the St. Lawrence for many years to come. There is a swing bridge on the Hudson at Albany, and yet schooners and other vessels, with high masts, are passing up and down continually, and the bridge does not seem to interfere with the navigation of the river. There are swing bridges on the Mississippi and the Missouri, on both of which there is infinitely more traffic than is ever likely to be done on the St Lawrence at Coteau. We have Mr. Shanly, who is generally recognized as being not only a high engineering authority, but a man of independent upright, manly character, who stakes his professional reputation on the statement that this bridge would not detrimentally affect navigation. The report made by Mr. Page is something of a different character altogether. I do not mean to cast any reflections upon Mr. Page's independence; but he certainly was not in a position to speak as freely and independently as Mr. Shanly was; and another fact which should be remembered is that Mr. Page's occupation has led him to look

with peculiar tenderness upon the claims of navigation, and, to a certain extent, to disregard the claims of railway traffic, which, to my mind, is to be the traffic of the future almost altogether. The construction of this bridge will have a great many beneficial effects, which I don't propose to say much about now. There is a very large tract of country which will be afforded ready access to Montreal and to the St. Lawrence. A great point is this: that the lumber of the Ottawa Valley goes to the markets of Albany and Boston, and one or two other places, and meets there the lumber of Michigan, If the lumber of this country is to compete successfully with the lumber of Michigan, which it does not at present, it will only be by being sold in the market at a lower figure than the other. Every cent that we can take off the cost of placing that lumber in the markets of Albany and Boston is so much in favor of our lumbermen, and calculated to give them the control of the American market. It is admitted that this road will shorten the distance to Halifax considerably, and, it is evident, will enable the Western producers to place the products of the West there at a lower price. There is no reason why this charter should be refused because the Dominion has built some railways. It has built the Intercolonial to carry the trade of the West down through the Lower Provinces. Tne country has subsidized the Grand Trunk Railway to the extent of fifteen millions of dollars. Now, the hon. gentleman from Woodstock said that he did not know where these people who are proposing to build this road are going to get the money. I understand that the country is not to pay it, and as the people who ask for permission to construct this road and bridge, are going to furnish the money themselves, I do not think that we have a right to be as exacting in dealing with them as if the Dominion were asked to supply any portion of it.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. POWER—There is just one other thing I should wish to say a word about, and it was touched by my hon. friend from Amherst. It may be the interest of the Government—possibly it is—that the Intercolonial and the Grand Trunk between Quebec and Riviere du Loup, should control the entire land traffic between the Upper and the Lower Provinces. I have some doubt about that; but I think there can be no doubt of this; that it is the interest of the consumers in the Lower Provinces to get their flour and other materials which they buy in large quantities from the Upper Provinces, brought to them at the cheapest possible rate, and every additional avenue of communication that is open between the Upper Provinces—where the grain is produced that we are obliged to purchase,—and the Lower Provinces where it is to be consumed, tends to cheapen the price of the article to the consumer. I think, therefore, it is in the interest of the consumers in the Lower Provinces, who are objects to my mind much more worthy of commisseration than the shareholders of the Grand Trunk Railway, or any other company—it is to their interest that we should give as many avenues as possible; and for that reason I should be acting against the interests of the Lower Provinces if I did anything to prevent the passage of this Bill.

Hon. Mr. TRUDEL—I would not like to say my hon. friend was not in earnest in remarking that his only reason for changing his views on this subject, was because his attention has been called to the fact that other companies had been granted similar powers. I think he has not been insensible to the appeal of my hon. friend from Markham, (Mr. Reesor), in calling upon us to be faithful to the present Government.

Hon. Mr. POWER—I was out of the House when that appeal was made, and, consequently, I could not have been much influenced by it.

Hon. Mr. TRUDEL—I was surprised that my hon. friend from Amherst, who was so severe upon the hon. gentleman from Sarnia, for having dealt with the general question doing the same thing in his reply. So it was with the hon. gentleman from Halifax, who after admitting the desirability of confining our remarks to this amendment, reviewed the whole question as fully as the hon. gentleman from Sarnia. I think that we should at once admit the wisdom of

the rule, and confine our remarks to the question actually before the House. I intend to address the House on the third reading of the Bill, and consequently I will say no more at present.

Hon. Mr. CAMPBELL—I wish to reserve my observations on the Bill itself until it comes to the third reading, and confine myself to the objections raised to this particular clause. It seems to me a great deal too much importance has been attached to it. The clause provides for the amalgamation of this company with any other railway now existing or hereafter to come into existence. I cannot see any grave objections to that. Why should they not amalgamate? Suppose you give them power to do so now, and they exercise that power, what harm is done? What difference is there between allowing them to amalgamate with railways now existing and with railways to be constructed? They can do the same business whether you give them the power or not. Suppose you allow them to build a bridge, and the amalgamated company runs its line to the boundary to meet another line there,—they would transfer their freight from one to the other. What difference would there be between that, and allowing them to amalgamate, and be managed as one company. I really do not see what objection there can be to this clause. It seems to me what has been done in other cases should be done in this. We should give this power of amalgamating with other companies. Some differences in the language have crept into clauses giving this power, and the one referred to in committee was an illustration. It gave the Company power to amalgamate with any railway existing or projected. I cannot see any difference between that and this clause. Is a road which people have in their minds, and of which they have made a survey and have plans and profiles—a projected road? I rather apprehend it would be considered so. And where is the difference between allowing them to amalgamate with a projected road, and a road to be incorporated hereafter. It seems to me that the objection is not based upon any satisfactory reasoning, or that any danger can arise from it which has been explained to the House in any way.

Hon. Mr. HAYTHORNE—I think my hon. friend from Barkerville in his remarks has intimated to the hon. Senator from Lunenburg that he had made a very "uncommercial" speech. I am in the position of being open to the same charge, as I must support the amendment of my hon friend from Woodstock. I am, however, in favor of the principle of this Bill, because I think in this age of progress that every step we can take to remove the difficulties of intercourse between ourselves and foreign countries must be a benefit to the Dominion. This is the principle that ought to govern us in every act which we pass. The same principle has been adopted in the older countries of Europe. After centuries of warfare, we find many of those countries engaged in promoting the arts of peace. France and England, for instance, that have been opposed to each other for centuries, are now trying to join hands underneath the English Channel by tunneling the Straits of Dover. We find also that the great range of mountains that separate Italy from France have been tunneled, not for strategic purposes, but for purposes of commerce, and to afford greater facilities of intercourse for the trade and travel of the two countries. We find another of the great undertakings of the age—the Suez Canal—was also planned and carried out for commercial purposes. It is quite evidend that the tunnel under the Alps was never intended for military objects, though the Suez Canal might, and as been so used, but no hon. gentleman will say that it was constructed for military purposes, and the mere fact that it has been so used does not affect the commercial or general character of the enterprise. Acting on these principles I think the Parliament of Canada would be unwise in throwing any obstacles in the way of an enterprise which has the effect of facilitating intercourse between the United States and Canada. But while I make all those admissions in favor of the principle of the Bill, and while I would be one of the last members of this House to make an "uncommercial" speech, I think it is the duty of Parliament to take every precaution that, in any privileges we give to this company, there should not be any possibility of those privileges being abused. The hon. Receiver General has said that he could not perceive any con-

ceivable objection to this Bill. It is to prevent any conceivable injury from being done, in the future, to this country, that we suggest these precautions. I would point to the extreme jealousy which the Parliament of England has always exercised in granting privileges to railway, or charters to companies. I think my hon. friend from Amherst fell into pretty much the same line of argument. He could not see any present danger, and instanced several cases in which Parliament has granted such charters. If it be true that Parliament has, in the past, given facilities—and there is a danger that those facilities should be abused—I think it is high time that we set our foot down, and say that though we may have acted injudiciously in the past, we will do so no longer; that we will now eliminate this tenth clause from the Bill. These are the views I entertain with regard to the principle contained in the tenth clause, though I agree to the general principle on which the Bill is founded. But I do say there is a danger, at some future time, that a formidable American ring may be formed, which might command immense capital, and be capable of doing injury to this country, which we might have cause to regret, and which we cannot foresee at the present moment. It is to prevent the possibility of it that we take these precautions. What is the real hardship of coming to Parliament? Have we not found that the company whose bill my hon. friend from Sarnia has the charge of, had to come to Parliament for powers; and why, in the same manner, should not this projected company come again to Parliament for powers, give to Parliament the requisite explanations, and thus afford every facility for guarding the public interests from danger. As to the bridge, I may state that I for one should be quite disposed to leave that clause as it stands. It seems to me that where a great river like the St. Lawrence stands in the way of commerce, and where all the tendency of modern improvement is to carry trade in vessels without top hamper, we should not allow any possible danger of incommoding masted vessels on the St. Lawrence to interfere with a bridge of that kind. But when I am informed that in many parts of this continent where rivers almost as important as the St. Lawrence are bridged without inconvenience to the navigation, I think we might very safely undertake to say that no injury would be done to our citizens by bridging the St. Lawrence in the way indicated. I cannot agree with the hon. member from Sarnia in the objections he took to leaving such matters in the hands of the Government. Although it cannot be supposed that I am particularly favorable to the Government of the day, still I think it is inconvenient that Parliament should assume executive powers. I think from the very constitution of Parliament, it is impossible to find many members who have made themselves so conversant with civil engineering as to be able to give an intelligent decision as to the advantages or disadvantages, or the possibility or impossibility, of bridging a certain river. For that reason I think the Government having command of the best engineering skill obtainable are better adapted, on the whole, for deciding the point as to the practicability of constructing this bridge, and whether, if built, it would obstruct trade and navigation. It is better therefore to leave it in the hands of the Government. Although, perhaps, the decision of the question may ultimately come to the hon. gentlemen who lately held power, I am quite content to adopt that clause. My opinion is that the amendment of the hon. Senator from Woodstock should be adopted, and that the 10th clause should be eliminated from the Bill.

The House then divided on the amendment, which was rejected on the following vote:—

CONTENTS:

Hon. Messrs.

Alexander,	Ferrier,
Armand,	Flint,
Baillargeon,	Guevremont,
Bellerose,	Haythorne,
DeBoucherville,	Hope,
Brouse,	Kaulbach,
Brown,	Paquet,
Bull,	Pelletier,
Bureau,	Penny,
Chaffers,	Pozer,
Cochrane,	Read,
Cormier,	Ryan,
Cornwall,	Thibaudeau,
Dever,	Trudel and
Dumouchel,	Vidal—31.
Fabre,	

NON-CONTENTS :

Hon. Messrs.

Aikins,	Leonard,
Almon,	McClelan (Hopewell),
Archibald,	McLelan (Londond'ry),
Benson,	McMaster,
Botsford,	Macdonald,
Bourinot,	Macpherson,
Campbell,	Odell,
Carrall,	Power,
Christie,	Reesor,
Dickey,	Scott,
Dickson,	Simpson,
Ferguson,	Smith,
Girard,	Stevens,
Grant,	Sutherland,
Hamilton (Inkerman),	Wark and
Haviland,	Wilmot (Speaker).—32.

Hon. Mr. TRUDEL moved that the Bill be amended by adding the following words to the fourth clause :

"Provided also, that every owner, occupant or usufructuary of any immovable that may be inundated by any flooding or rising of waters occasioned by the construction of the said bridges or of the embankments, wharves or other works of any kind in connection with the said railway or the said bridges, or that may suffer damages of any kind whatever occasioned by the said works, shall be entitled to recover damages from the said Company, to be assessed by three arbitrators, one of whom shall be chosen by the claimant, another of whom shall be chosen by the Company, and the third of whom shall be appointed by a Judge of the Superior Court in the District in which the damage has occurred, which Arbitrators shall proceed to estimate the said damages in the manner required by law ; but no such claimant shall forfeit by any proceeding against the said Company any right he may have to receive from the Government of Canada either payment in full of the amount to which he has suffered damage, in the event of his not having recovered anything from the Company, or payment of any sum required to complete such amount in the event of his having recovered a portion thereof from the Company.

He said : This amendment does not attack the principle of the Bill. My object is merely to protect, to a certain extent, those who reside in the neighborhood of the proposed bridge. The Bill, as it stands leaves in the hands of the Government the decision whether this bridge can be built without injury to navigation. There is some doubt whether the laws of Quebec would, under the circumstances, protect the property owners against damages which might arise from floods caused by this obstruction in the river. I propose by the amendment to protect them. I think the House will agree with me that such amendment is necessary. Some twenty-five or thirty years ago considerable damage was done to property in the neighborhood of Beauharnois by floods caused by closing up a channel of the river in connection with the canal works there. Some of those claims were pending for twenty years. I think, therefore, that such an amendment as I propose, is necessary. The promoters of the Bill cannot object to it, because, in their opinion, the building of this bridge will not raise the water, while those who hold the opposite opinion will agree with me that the amendment is necessary in the interest of the people whose property may be damaged by this structure.

Hon. Mr. DICKEY—I think the House will agree with me that the first part of this clause is unnecessary. The law provides a remedy if any person is injured. But the sting lies in the tail of this clause. I should like to ask the Government whether they propose to accede to an amendment which, by inference, makes the country liable for damages which may occur through the building of this bridge? But there is another objection ; we have no power to pass such legislation. I should like to see the faces of members in another place, if we sent an amendment of that kind down to them. They would say that the Senators were losing their heads in proposing to make the country liable, by inference, for damages which they have no power to pay. I think that the hon. gentleman should withdraw that part of his amendment certainly ; and, as regards the other, he ought to be satisfied with the remedy which already exists.

Hon. Mr. CAMPBELL—I do not think the amendment is one which ought to be pressed. It does carry the presumption of a claim against the Government. If anybody should sustain injury by an overflow of the water, the claim would be against the Company and not against the Government. To legal minds in Ontario it would raise the implication that Parliament intended that the Government should be responsible for any losses occasioned by floods. I know that the words "if they had any" are included in the clause, but it is so

foreign to our law that it gives rise to the implication, notwithstanding that phrase, that the Government are responsible for damages which may occur by floods. They must not be made liable by any such language. As to the other part of it, the remedy exists by law, and there is no occasion to repeat in this Bill that the Company shall be liable. If you say in this Bill that they shall be liable, you imply that they would not be liable but for the Bill, and then, if there should be any defect in the language of the clause or any doubt in the interpretation of it, the Company would escape from their liability. You have them as firmly fastened by their law as they can be, and any language of this nature which you employ would weaken the remedy that you already posses. The Government cannot, under any circumstances, be responsible, and the Company is liable under the law, therefore, there is no necessity for this clause.

Hon. Mr. TRUDEL—If the Government should permit the Company to build a bridge and damage should result from it to property in the neighborhood, a doubt might arise as to whether the Company were responsible, because the privilege will only be granted if the Government think that the bridge will in no way injure the public interests.

Hon. Mr. CAMPBELL—The Government is to decide, not as to the liability of the Company, but as to whether navi gation is to be injured by a bridge.

Hon. Mr. TRUDEL—The Government is in possession of the public domain, of which the river forms a part. If they should use it in such a way as to cause the water to rise, would they not be responsible for damages?

Hon. Mr. CAMPBELL—No.

Hon. Mr. TRUDEL—I respectfully submit that there is a doubt, and that doubt should not be allowed to exist. It is better to define at once the position of the Company. This amendment will set all doubts at rest; at all events it can do no harm.

At six o'clock the Speaker left the chair.

AFTER RECESS.

Hon. Mr. TRUDEL resumed the debate. He said: I take the liberty to ask the hon. leader of the Government if I understood him correctly that he does not consider the Government bound to pay any damages which might arise from the construction of this bridge, even if they should choose to allow it to be built.

Hon. Mr. CAMPBELL—Certainly not.

Hon. Mr. TRUDEL—Then I think that my amendment which implies the responsibility of the Governmeut, should be accepted by the House, because once the Government takes the responsibility of allowing the bridge to be built, the company becomes liable for damages arising from the construction of it.

Hon. Mr. CAMPBELL—I stated before recess that the Government would be asked if this Bill should pass, to say whether a bridge—high or low level—could be constructed without interfering with navigation, and that when they decide that one way or the other their responsibility will be at an end.

Hon. Mr TRUDEL—Then on whom will the responsibility of rising the water and flooding the land rest?

Hon. Mr. CAMPELL—The Company.

Hon. Mr. TRUDEL—Is it not a fact that the Legislature takes a part of the responsibility?

Hon. Mr. CAMPBLLL—I think not.

Hon. Mr. TRUDEL—Supposing the Company to be insolvent. Supposing that the bridge were built, and the road should not earn its running expenses. The bridge would remain an obstruction in the river. Now, suppose this obstruction should raise the water so as to cause damages to the extent of one hundred thousand pounds to the property in the neighborhood, what recourse would the losers have in that case? My hon. friend says they could proceed against the Company; but what would be the use

of doing so if the Company were worth nothing. I call the attention of the House to this point. I say that I consider it as a matter of equity. If the House undertake the responsibility of allowing the bridge to be built, it also takes in the name of the country the responsibility of any damages which may arise from its construction. It is a fair proposition, and I think that the House should see it in that light.

The motion was declared lost on a division,

Hon. Mr. HOPE—I do not wish to give a silent vote upon this Bill. Two years ago, when this Company had a Bill before the House, the effect of bridging the St. Lawrence was fully discussed, and the Committee unanimously decided to strike out the bridge clause. Every other privilege was freely conceded. When that Bill was reported to the House with the amendment, it passed without opposition. The Company was granted every facility for traffic with the United States. In this age of the world, nobody in Canada would undertake to say that a railway company should not connect with another railway in the United States, provided it was its interest to do so. The great railway lines of the Dominion, such as the Grand Trunk and the Great Western railways, cross the St. Clair and the Detroit Rivers by steam ferries ; and surely this Company ought to be content with similar means of crossing the St. Lawrence. No doubt there is some difficulty in the way, but that difficulty can be surmounted at Coteau as it is at Sarnia and Windsor. It is perfectly absurd to say, that a low-level swing bridge would not be an obstruction to navigation. Hon. gentlemen talk of a fair way between the piers of the bridge two hundred feet wide. Why, vessels passing through the new Welland Canal will be two hundred and forty feet in length and when that class of vessels comes to descend the St. Lawrence, they will find such a narrow passage, as is talked of by the promoters of this Bill, a very unsafe one for such vessels to pass through. The result of such a vessel losing her steerage way in passing through the proposed bridge with a strong current in order to run the Coteau Rapids, after they are made navigable, would be most disastrous. I cannot think that the Government will sanction this bridge scheme. We have expended large sums of money in enlarging our canals, and as I stated in Committee the very fact that these canals have brought the trade of the West down the St. Lawrence, and supplied freight for the great lines of steamers which run from Montreal to Europe, shows the necessity of guarding carefully against any obstruction of the navigation of our great natural highway. The saving in freight alone is equal to all the interest of the money expended in constructing our canal system—at all events, of the money spent previous to undertaking their present enlargement. And when we get fourteen feet of water on the mitre sills of our canals, and the obstructions in the rapids cleared away down to the mouth of Lachine Canal, we will have a system of navigation unrivalled on this continent. People talk of what railways can do. Why, we have seen two millions five hundred thousand bushels of grain arrive by vessels at Buffalo with a change of wind in the space of twenty-four hours. All experience has shown that railways cannot compete with water. Suppose the Government gave permission to build this bridge, and it should be found afterwards to be such a serious obstruction that it would require to be removed, the railway company would have to be indemnified for any loss they might sustain by such removal, or they might call upon the Government to replace the bridge by a tunnel. I do not see why the Government should assume any such responsibility. It should be left to Parliament to say whether or not a low level swing bridge on the St. Lawrence is, or is not, a nuisance and an obstruction to navigation. I hope that the House will come to the conclusion at which it arrived in 1877, that the St. Lawrence should not be bridged. There is no objection to this railway Company driving a tunnel under the river if they will only do so in a way that will not inconvenience navigation or damage existing local interests. My hon. friend from Nova Scotia, (Mr. Power), is quite willing that the Company shall be allowed to build this bridge. But how would the Nova Scotians like to have a low-level bridge built across the Gut of Canso?

Would it not be considered an obstruction to vessels running before the wind? The thing would be absurd, and would not be permitted, and yet they have no objection to that sort of thing on the St. Lawrence. The shipping interest seems to exercise less influence than the railroad interest, and usually trusts to the Government to see that justice will be done. If the bridge clause is taken out of this Bill I will vote for it with pleasure, but unless that is done I shall oppose the third reading.

Hon. Mr. MACPHERSON — If I thought there was the least danger of the navigation of the St. Lawrence being impeded by this bridge I would vote against the Bill. When the bridge was part of the Act of incorporation last year I voted against it, but the case is very much changed now. The Government takes the whole responsibility; they are empowered to say that there shall be no bridge if engineers advise that the navigation would be impeded by one. That in itself is a great security. They have also the power, if they consent to the bridge, to declare what kind of bridge it shall be; whether it shall be a high level bridge without a swing, or a lower bridge with a swing, so that the whole matter is in the hands of the Government, and I am quite sure they will not take the responsibility of permitting the construction of what would impede the navigation. There seems to be some misapprehension with respect to the navigation of the St. Lawrence at the particular place where it is proposed to build the bridge. My hon. friend from Nova Scotia spoke of sea-going vessels descending the rapids. The hon. gentleman, if he knew the river would know that sea-going vessels can never pass them; that no improvement of the river, no deepening of the rapids, could permit sea-going vessels to descend. In the first place they would have to ascend through the canals, and they never can do so. I believe, however, that the rapids can be improved so as to allow vessels that come through the Welland Canal to descend, but a swing of two hundred feet wide will afford space for them to pass the bridge safely. The hon. gentleman from Hamilton says that the Welland Canal will be two hundred and fifty feet long, and that the large vessels that will descend through it could not pass through the draw. Surely he does not suppose they descend broadside?

Hon. Mr. HOPE—But supposing they take a sheer in the current?

Hon. Mr. MACPHERSON—My hon. friend from Lunenburg is also somewhat inconsistent to-day in opposing this Bill, on the ground that he believed it would divert trade to the United States. It was only on Monday last that the hon. gentleman was willing to have railways built from the North-West Territories to Hudson's Bay, so as to divert the whole trade of the North-West into another channel away from the canals which we have built, and the railways which we are building. Having full confidence that no Government in this country will permit what will impede the navigation of the St. Lawrence, I will support the Bill as it is.

Hon. Mr. KAULBACH—I happen to know a little about the navigation of the river St. Lawrence, although not as much as my hon. friend. It seems to me that such wonderful difficulties in the way of trade and navigation have been overcome, and the progress of science and engineering is so rapid, that we may yet find that the rapids of the St. Lawrence may be made navigable from Montreal up. The hon. gentleman has referred to my remarks on the Hudson's Bay question. On that occasion I had stated that when I found this House was willing to allow our trade to be diverted to the United States by the Coteau bridge, and taken from our own railways, I would prefer to see it go by the Hudson's Bay—a shorter, quicker and cheaper route to Europe. It would then be beyond the reach of American rings.

Hon. Mr. MACPHERSON—I said that you did not object to seeing trade diverted from our channel to the Hudson's Bay.

Hon. Mr. KAULBACH—I said I was in favor of the trade of the North-West going to Hudson's Bay rather than allowing it to be centralized towards American ports. I do not believe in delegating our powers in this matter to any Government,

and although the present Government have my confidence, I do not think it is wise or in the interest of the country to impose such responsibility upon them.

Hon. Mr. TRUDEL—As this matter is one of very great importance we ought not to allow any of our arguments to be misunderstood by the House. It was stated by my hon. friend from Amherst that he was surprised to see the hon. gentleman from Lunenburg invoke the local interests of Nova Scotia. As on a previous occasion, I made an appeal to the hon. gentlemen from these provinces I think it is necessary to explain in what sense I did so. I do not understand I do not understand the expression of opinion given by my hon. friend as being a sectional argument. Our argument is this : We consider that the policy of all previous governments has been to build up a great nationality, and that one of the best means to accomplish that object was to build a system of railways from ocean to ocean. The main reason given for doing so was that it would afford a natural route for the products and commerce of the west to the Atlantic. This was considered one of the chief reasons for Confederation, as Canada could never be a great country without having seaports of her own. Now, if you divert our commerce to foreign seaports, it must be to the disadvantage of our own country. From this point of view, we tell the hon. gentlemen from Nova Scotia that it is their own interest to oppose this bridge project. It is not a question of mere local interest, or sectional feeling, between the Ottawa Valley and the Lower Provinces, but merely the development of a system, part of which has already been carried out. It has been argued by some hon. gentlemen that whatever may be the policy of the country, its trade will always follow its natural channel. I take the liberty to deny that proposition. Theoretically that may be the case, but practically it is not so. I contend that the direction of trade is influenced by natural advantages, but it is controlled by national feeling, private enterprise, and chiefly by the strength of capital. As proof of this I would refer to the fact that Canada is the natural outlet for the products of the west; still it is a matter of fact that not more than five per cent. of the trade of the Western States finds its way to the ocean through Canadian channels. If the proposition of the hon. gentleman from Kings is correct the whole of the export trade of the west should pass down the St. Lawrence, and the fact that it does not follow this channel is proof that the national spirit of the people of the United States, and the preponderance of their railway companies are strong enough to divert trade from its natural course. The arguments that are used in favor of this bridge project are the same as are advanced in favor of free trade. It is contended that the Ottawa lumbermen will save a dollar per thousand feet on the transport of their lumber by having this new route, and we are asked why should we prevent them from taking that route? Is it not the same line of argument to say: don't prevent the consumer from purchasing in the cheapest market? We find that this free trade theory has seduced some of the most liberal minds, not only of this country, but in the older countries of the world ; but we have also seen that wherever this policy has been put into practice, it has been fatal to the countries that have adopted it. Is it not a fact that in all countries the national interest has been to protect national routes which are in competion with foreign routes? Without reviewing the history of all countries, hon. gentlemen will recollect the position taken by England when the Suez Canal was built. It certainly was an undertaking which met with the approval of all the nations of Europe except England, as she saw in the construction of that canal danger to her supremacy on the sea. There was only one remedy ; it was to prevent other nations from having a monopoly of that route, and she succeeded in buying up the largest portion of the stock,and controlling the canal. Canada is now in a similar position with respect to this bridge, and if we allow the Americans to get control of our trade where is our remedy. Have we the capital to control American routes? Certainly not. Gentlemen will remark that by allowing that bridge we are bound forever to it. In adopting a free trade policy there is not so much danger, because if we find that it is detrimental to the interests of the country, Parliament can provide a remedy; but let us once grant this charter, and give the

Americans the facilities they seek for controlling our trade, and we can never recover from the disastrous effect of it, as it will then have passed out of our hands for ever. Thirty years ago we had the alternative of adopting one of two principles: either to allow the trade of the continent to follow its natural channel, with that other principle germane to it, that when the traffic was sufficient to maintain a road private capital would build it; or adopt the policy of opening national highways by which to keep the trade of the great and fertile west within our own territory. We have adopted the latter policy. The great argument in favor of constructing our railways, and enlarging our canals has been that that expenditure was necessary to secure the trade of the west. These were the views entertained by our leaders. We stood by them and gave them all reasonable support in carrying out that policy, and I am not disposed to-day to condemn a policy which this country has approved during the last twenty-five years. If it had been decided, twenty-five years ago, that the Government should neither build nor own railways, but that it should be left entirely to private enterprise, and the requirements of trade to supply them, this new project would have been some advantage to the country. But we have been proceeding upon a different principle; we have saddled the country with an enormous debt in the building of railways, and the improvement of canals, to secure western trade, and it is absurd to contend to-day, that trade should be allowed to follow its natural channel. I find in a report of 1867, that the sum we granted to the Grand Trunk Railway, up to that time, with interest, amounted to $26,000,000. That sum, added to what has since been expended on the Intercolonial, the North Shore, and the Pacific up to the present day, with interest added, would amount to $72,000,000. When we consider the interest upon this sum, and what will have to be borrowed in order to complete the Pacific Railway, we will find that it will require all the trade that we can secure to meet the interest upon our railway debt, without allowing any portion of it to be diverted into foreign channels. I do not see that we should allow this policy to be abandoned in order to save, say 35 miles, in the transport of the lumber of the Ottawa Valley. I do not believe, however, that the supposed advantages to the lumber trade will result from the building of this bridge. The interest on the money invested in that structure will have to be collected from the freight that passes over it, and if the bridge were intended to secure the lumber trade only the promoters could not possibly expect interest on their investment. But they expect something more. They expect to take the western trade, and that is the main object of their project. The district said to be mainly interested in this railway on the south shore of the St. Lawrence is the De-Salaberry division, which I have the honor to represent. Of course it is a rather delicate matter for me to oppose the Bill, but the reasons for opposing it seem to me to be so conclusive that I do not hesitate to take the course I now follow. So much for the general interests of the country. As to the sectional interest of my division, I may say that I have the best of reasons for believing that the passing of this Bill will have the effect of depriving that part of the country of another railway which would be more beneficial to it. There is a scheme now on foot for the construction this summer of another line from St. Isidore to Dundee, and if this Bill is passed that scheme will be killed.

Hon. Mr. FERRIER—The subject of this Coteau Bridge and the other lines which the current of commerce might run into, has been quite exhausted. What I wish to say is, that there has been a conviction in my mind for the last two or three years that the Government should take a more careful view of these matters. The railway policy of the late Administration, and of the present Government thus far, will, if continued much longer, lead to serious inconvenience and financial difficulties. Compare the railway system of other countries with ours. In France, where the Government control the railways, and regulates not only the railway system, but almost everything else in the country, we find that at present, when there is a general depression prevailing, that nation is prosperous and comfortable. No one can travel in France without feeling that the railways are better managed

than in any other country. In Canada, neither the present Government nor their predecessors seem to have considered the position in which we stand. The Government is becoming the owner of large lines of railway, and must soon consider whether the present policy shall continue. I am willing that that the Government shall give to each locality an opportunity to make a railway for itself it it choose to do so, but I do not approve of granting a charter to everybody that asks for it, and giving a subsidy, as the Government have been doing, in the past. That was all very well while the Government did not own railways, and did not tax the community to construct them, but we are borrowing money every year to build the Pacific Railway, and we can hardly anticipate the amount which we require to complete it. Who is paying the interest upon that money? Every existing railway company in the country is paying its proportion. The Grand Trunk Railway, under the National Policy (which I approve of) will have to pay into the treasury $120,000 more every year than in the past, and the other roads in the country will have to pay their proportion also. It becomes both the Local and the Dominion Governments, therefore, to consider whether they shall continue the present policy. The Grand Trunk Railway is barely existing. It has not traffic enough to sustain it—not enough freight to load the vessels at Halifax and Quebec the last two months—and if we divide it, as the promoters of this Bill propose to do, we will have no freight for the shipping that comes to our ports. It seems to me extraordinary that there should be such anxiety to construct new roads, and particularly this one, and still more extraordinary, that the Government should advocate this private Bill, as though it were one of their own measures. In taking that course, they are doing what they can to destroy the existing lines in the present condition of the country. They are constructing the Georgian Bay Branch, and subsidizing the Canada Central Extension, and Quebec is expecting the traffic which is to come by that line for its system of railways. The claims of Ottawa and the lumber trade have been reduced in support of this Bill: has not the country expended a large amount of money in enlarging the Grenville Canal to accommodate the trade of this section? I do not know the amount of that expenditure; I asked a gentleman to-day and he could not tell me, but whatever it is, it has been made in the interest of the lumber trade. We do not expect that the construction of this railroad will benefit Ottawa greatly, while it will certainly prove injurious to the country generally. The promoters of this Bill talk of having expended a large amount of money on this road already. What is there to show for it? You cannot find any evidence of it on the line. When the Coteau railroad was first projected, the names of Mr. Brydges and Mr. Reekie appeared on the stock list for a large nmount, but those names do not appear there now. The promoters exhibit what they call a statement of paid-up stock which will deceive nobody. They have not got the money to build the road, and there is but one source which will supply it. That source, though not apparent now, is behind this charter. If the Government should sanction the construction of this bridge, whether high or low level, I have reason to believe that the road will be built, and it will tap our trade here at Ottawa where all these other lines are converging. But I am told that the country has given the Grand Trunk Railway Company £3,111,500 to aid them in building their road, but that line has cost $75,000,000, without including interest on the original expenditure for construction and equipment, or on the sum expended for laying steel rails and furnishing new rolling stock. It is simply the direct expenditures on the Grand Trunk Railway. Surely the Government will not say that such an important interest is unworthy of consideration. It looks like insanity to construct new roads in the present state of the country. An eminent physician has remarked, that every man is insane on some point, and I think the same remark applies to legislatures as well. Canada's monomania is to grant charters to all applicants for building railways. The Government is expending immense sums of money in constructing the Pacific Railway. I am not finding fault with them for doing so, but I warn them that the result may be the same in the Dominion as it has been in

Quebec. The undertaking may over-tax our resources, and land us in financial difficulties. That has been the result in Quebec. Our existing railways can hardly pay running expenses. The Grand Trunk Railway is obliged to look to the west for business, and its revenue from that source is about $3,000,000. Canada supplies only about one-half of the traffic on that line. I telegraphed to Montreal this morning to ascertain the exact number of men employed on the Grand Trunk, and received the following answer: "Total staff for month of March, 8,027 men." We pay in wages and salaries about $4,000,000 a year. That is an interest, I repeat, that should receive some consideration from the Government. The stockholders of that Company have never received a dividend yet, and they never will receive one so long as the present policy is continued. The destruction of the line is inevitable, and the Quebec railways must share the same fate. I can see no hope for them in the future. I have been called "an old man" for saying so, but it is my honest conviction, and I cannot help expressing it. The Government have adopted a protective policy, and I am glad of it, because I feel that it is needed in this country. Under partial free trade, the country has been running down during the past five years. It has had the same effect in England, and before long, they will be obliged to follow the example of France. I am delighted that our Government has adopted a policy of protection, but they should apply it to railroads, as well as to manufacturing industries. The railway companies are contributing their share to the revenue of the country, and deserve fair treatment. I am not speaking in the interest of the Grand Trunk Railway merely; I speak on behalf of all the railways of the country. If they wish to follow the example of France and control the railway system of the Dominion, I have no objection; but unless they were prepared to do that, they should protect them in the same way that they proposed to foster the other industries of the country.

Hon. Mr. KAULBACH said that he had an amendment to propose.

Hon. Mr. CAMPBELL—Unless notice has been given, it is not in order.

The SPEAKER—The hon. gentleman should have given notice of his amendment.

Hon. Mr. KAULBACH—I observe that the Company are empowered to build any number of bridges they please if the Government think that they will not interfere with the navigation of the river. This appears to be altogether inconsistent with the decision arrived at by Parliament in 1877, when this same Company applied for legislation to extend the time for completing their road. It was then decided that they should not have power to bridge the St. Lawrence; yet we are now asked to reverse that decision. It seems to me that it is not only inconsistent with the former action of this House, but also with the National Policy which we have adopted, because the effect of it will be to pauperize our existing railways. To be consistent, we should protect all the industries of the country. The hon. Senator from Amherst, must have been lacking arguments when he represented to the House that I had advocated that the lumber trade of the Ottawa Valley should be forced down the Intercolonial Railway to Halifax. We have more lumber in Nova Scotia than we require, and I never thought of advocating anything of the kind. What I did say was, that we should not legislate in a sectional way, but that the Maritime Provinces, as well as the rest of the Dominion, should receive the benefit of the expenditures which we are making to develope the trade of the west. If we are to adopt the view of the hon. Senator from Prince Edward Island, (Mr. Haythorne), and let trade find its own channels, let us abandon the works we have expended so much upon. Trade will find an outlet without any expenditure on our part. But I repeat that such a policy would not be consistent with the protection of our industries. My hon. friend from Halifax, (Mr. Power), has spoken in support of this Bill, because he thinks that the construction of this road will cheapen the price of flour. I cannot see how that result is to follow from diverting our carrying trade to the United States. It will have the effect of destroying any hope we ever had of making Halifax the winter port of the Dominion.

There is no argument in support of this Bill, but there is a determination on the part of a few lumbermen at Ottawa to destroy the great public works on which we have expended so much money, and the Government is lending a helping hand in the work of destruction.

The House then divided on the motion for the third reading of the Bill, which was carried by the following vote.

CONTENTS :

Hon. Messrs.

Aikins,	Haviland,
Almon,	Leonard,
Archibald,	McClelan (Hopewell),
Benson,	McLelan (Lond'ndry),
Botsford,	McMaster,
Bourinot,	Macdonald,
Brown,	Macpherson,
Campbell,	Montgomery,
Carrall,	Odell,
Chapais,	Reesor,
Christie,	Scott,
Dickey,	Smith,
Dickson,	Stevens,
Ferguson,	Sutherland,
Girard,	Wark, and
Grant,	Wilmot (Speaker)—33.
Hamilton (Inkerman),	

NON-CONTENTS :

Hon. Messrs.

Alexander,	Haythorne,
Aramnd,	Hope,
Baillargeon,	Kaulback,
Bellerose,	Muirhead,
Boucherville, de,	Paquet,
Bureau,	Pelletier,
Chaffers,	Penny,
Cormier,	Pozer,
Cornwall,	Read,
Dever,	Ryan,
Dumouchel,	Seymour,
Fabre,	Thibaudeau, and
Ferrier,	Trudel.—27
Guevremont,	

BILLS INTRODUCED.

The following Bills from the Commons were introduced and read the first time :

Bill (16) "An Act relating to the protest of inland bills of exchange and promissory notes in Nova Scotia." (Hon. Mr. Dickey.)

Bill (98) "An Act to amend and consolidate 'The Railway Act, 1868,' and the Acts amending it. (Hon. Mr. Aikins.)

CANADA AND DETROIT BRIDGE COMPANY'S BILL.

FIRST AND SECOND READING.

A message was brought from the House of Commons by their Clerk with Bill (101) "An Act to amend an Act to incorporate the Canada and Detroit River Bridge Company,"

The said Bill was read the first time.

Hon. Mr. VIDAL said that it would be a matter of of great convenience if the Bill were allowed to pass the second reading presently, in order to have it referred to the Committee on Railways, Telegraphs, and Harbors. He would therefore move that the forty-first and sixty-first rules of this House be dispensed with in so far as they relate to the said Bill, and that the same be read a second time presently.

Hon. Mr. CAMPBELL said the hon. gentleman should have given notice that he intended to move. It was a very unsafe practice to get into to suspend rules without notice.

Hon. Mr. BELLEROSE said it showed the inconvenience of allowing private Bills to be introduced after the first three weeks of the session.

The Bill was read the second time and referred to committee.

TRADE MARKS AND DESIGNS' BILL.

THIRD READING.

Hon. Mr. AIKINS moved the third reading of Bill (82) "An Act respecting Trade Marks and Industrial Designs," as amended.

The motion was agreed to, and the Bill was read the third time and passed.

SEAMEN'S ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. AIKINS moved the House into Committee of the Whole on Bill (92)

"An Act to amend the Seamen's Act, 1873."

Hon. Mr. PELLETIER reported the Bill from committee, with one amendment.

The amendment was concurred in, and the Bill was read the third time and passed.

PICTOU HARBOR BILL.

THIRD READING.

Hon. Mr. AIKINS moved the House into Committee of the Whole on Bill (90) "An Act to Amend the Act respecting the Harbor of Pictou, in Nova Scotia."

Hon. Mr. MONTGOMERY reported the Bill from the Committee without amendments.

The Bill was then read the third time and passed.

SYDNEY, NOVA SCOTIA, HARBOR BILL.

THIRD READING.

Hon. Mr. AIKINS moved the House into Committee of the Whole on Bill (89) "An Act respecting the Harbor of North Sydney in Nova Scotia.

Hon. Mr. MONTGOMERY reported the Bill from Committee without amendment.

The Bill was then read the third time and passed.

PILOTAGE ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the House into Committee of the Whole on Bill (91) "An Act to amend the Pilotage Act, 1873."

Hon. Mr. DICKSON reported the Bill from Committee without amendment.

The Bill was then read the third time and passed.

MONTREAL HARBOR COMMISSIONERS' BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the House into Committee of the Whole on Bill (88) "An Act to amend the Acts respecting the Trinity House and Harbor Commissioners of Montreal."

In the Committee,

Hon. Mr. CAMPBELL said, as the three clauses that related to giving to the Harbor Commissioners power to establish tugs would create an unfair competition with owners of private tugs, he would move that they be struck out of the Bill.

The motion was agreed to.

Hon. Mr. DICKEY reported the Bill from the Committe as amended.

The amendment was concurred in, and the Bill was read the third time and passed.

CANADIAN PACIFIC RAILWAY BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the House into Committee of the Whole on Bill (60) "An Act to amend the Canadian Pacific Railway Act, 1871."

Hon. Mr. DICKSON reported the Bill from the Committee without amendment.

The Bill was then read the third time and passed.

The House adjourned at 10.15 p.m.

THE SENATE.

Thursday, May 8th, 1879.

The SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

CANADA AND DETROIT RIVER BRIDGE COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbors, to whom was referred the Bill (100) "An Act to amend an Act to incorporate the Canada and Detroit River Bridge Company," reported that they had gone through the said Bill, and had directed him to report the same to the House without any amendment.

The report was received and the amendment was concurred in.

Hon. Mr. VIDAL moved that the Bill be read the third time.

Hon. Mr. HOPE said he had opposed the Canada and Atlantic Railway Company's Bill because the promoters had asked for power to bridge the St. Lawrence at the Coteau Rapids. He had then remarked that if the Government conceded that privilege, there would be other applications made for similar concessions, and now they had this Detroit Company asking for power to construct a bridge across the river from Windsor to Detroit. Two years ago when the Canada Southern Railway Company took power to construct a tunnel under the river, the bridge scheme was abandoned, and they have commenced work on their tunnel. Even though Parliament should pass this Bill, he did not think the United States Government would give their consent to the construction of such a bridge, although it might be sanctioned by the State of Michigan. If the Government did consent to the bridging of the Detroit River, by this Company, no doubt application would also be made by the Canada Southern Company to be allowed to bridge it at Amherstburg, and they could not refuse to Vanderbilt the same right they were now giving to the Detroit company. He thought the Government had acted unwisely, if they had no intention of granting the bridge at the Coteau, in not saying so at once, and leaving with Parliament the responsibility of granting or refusing such privileges as were now asked for.

Hon. Mr. VIDAL said he was surprised that his hon. friend should be so entirely astray as he was with reference to this Bill. It so happened that, instead of asking for power to construct a bridge—a power which the Company had already—finding it impracticable to build a bridge, they now asked for power to construct a tunnel. It had been found that at the part of the river where they proposed to build the tunnel, the river was divided by an island into two channels, one of which was very little used. The American authorities had granted permission to the Company to construct a bridge across that American channel, and the Company had the power to construct a bridge on the Canadian side also. They proposed, however, to abandon that bridge and substitute a tunnel, so that the hon. gentleman was entirely astray in supposing that the Company asked for power to bridge the main channel.

Hon. Mr. KAULBACH considered that they were getting into a very dangerous practice in granting powers of amalgamation to railway companies without coming to Parliament for them. He feared that unless some check were adopted combinations might be effected that would prove disastrous to the prosperity of the country.

Hon. Mr. VIDAL said that all the Company asked was for power to construct a tunnel where they already had the power to construct a bridge. The right to amalgamate had been granted years ago.

Hon. Mr. SMITH considered the present Bill was an improvement on the charter the Company already held.

Hon. Mr. POWER was sorry that the hon. gentleman had not scrutinized more carefully the Bill he had introduced. Had he done so, he would have found that the Bill left it optional with the Company to build either a tunnel or a bridge.

The hon. gentleman was hardly consistent after so vigorously opposing the building of a bridge at the Coteau, where there was not a hundredth part of the traffic that there was on the Detroit River, to now ask for the same power for this Company that he had refused to the other: that he should advocate to-day exactly the same principle that he had opposed yesterday. It just showed that circumstances altered cases very much.

Hon. Mr. VIDAL contended that no new power was asked for in this Bill that the Company did not already possess. As for the bridging of the main channel at Detroit, it was a privilege that no Government would ever grant.

Hon. Mr. ALEXANDER said the Bill simply asked for an extension of time. The Company would not have come to Parliament at all this session only they became aware that the Canada Southern Company had commenced their tunnel at Amherstburg.

The motion was agreed to, and the Bill was read the third time and passed.

DETROIT RIVER TUNNEL COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbors, to whom was referred the Bill (100) "An Act to amend the Act to incorporate the Detroit River Tunnel Company," reported that they had gone through the said Bill, and had directed him to report the same to the House without any amendment.

The report was received and concurred in.

The Bill was then read the third time and passed.

SOUTH-WESTERN COLONIZATION RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbors, to whom was referred the Bill "An Act to incorporate the South-Western Colonization Railway Company," reported that they had gone through the said Bill, and had directed him to report the same with an amendment, which he was ready to submit whenever the House would be pleased to receive it.

The report was received and adopted.

The Bill was read the third time and passed.

THE SENATE DEBATES.

MOTION FOR COMMITTEE.

Hon. Mr. ALEXANDER moved:

"That a Committee be appointed to enquire into the best means to be adopted to obtain correct reports of the debates and proceedings of the Senate during the next session of Parliament, and for the publication of the same—the Committee to consist of the hon. Messieurs—

He said he would not be surprised if the leader of the Government in this House should take exception to the motion which he had ventured to place upon the notice paper, because he was quite aware that the Government appointed the committees. His reasons for submitting this motion was to have an opportunity, for the last time, of calling the attention of the House to the unfortunate result, or rather no result at all, of the expenditure of $4,000 for the reporting and publishing of the Debates of the Senate. Of course, the object in making that expenditure was that the Debates should go before the country, but as he had remarked on previous occasions, the public had no opportunity of seeing the reports, and there was something wrong somewhere. Having labored upon the Debates Committee to have this evil corrected, and finding that his efforts had been totally unsuccessful, he had sent a letter to the Chairman, tendering his resignation, which, no doubt, that hon. gentleman would submit to the House. It was not the mere matter of the expenditure of $4,000 that he complained of, but it was the fact that the utility of this important branch of the legislature was not known to the public. Of course its action—the Bills they amended or defeated, and the items of expenditure incurred—was made known to the country, but there was no further

result, as nobody saw any reports of the debates that took place in this House. Last session a committee had been appointed to enquire into the best means of having the Debates published. They reported that they had considered the question, and recommended that additional information be procured by the chairman, (Mr. Macpherson), Mr. Brown, and Mr. Campbell. The result was known to every hon. gentleman, and if the House did not take some action now, they would probably have no better results next session; the same struggle would continue on the committee, and the same amount of money would be wasted. There should either be a new committee appointed, or the present committee should be compelled to do their duty. It was a strange thing that on one or two occasions when he had endeavored to call attention to the fact that their Debates were published in an edition of the FREE PRESS that did not go to the subscribers, his hon. friends, Mr. Power and Mr. Penny, had actually sustained the Chairman, and had declared that everything had been done in the best possible manner. Could the House wonder that, finding, on every occasion when he had tried to remedy this evil, and could not move the Committee, who seemed determined to sustain the Chairman, that he had resigned, as he could accomplish nothing, and the whole thing was turned to ridicule. He would leave the whole matter in the hands of the House.

Hon. Mr. CAMPBELL said that the hon. gentleman was mistaken in stating that the Government appointed the committees of this House. The Government submitted the names of the gentlemen who were to compose the committees, and it was for the House to say whether they should approve of them or not.

Hon. Mr. ALEXANDER—The House always adopt the Committees named by the Government.

Hon. Mr. CAMPBELL could not see what more could be done than to appoint the gentlemen who were on this Committee. The hon. gentleman himself (Mr. Alexander,) headed the list. He had suggested his name because he had taken a special interest in this question, and the greatest compliment that could be paid to an hon. gentleman—the greatest advantage which could be given to him—was to put him on a committee where he could have an opportunity of advocating his views and endeavoring to carry them out. The hon. gentleman himself would hardly be able to name a better committee than the present one. But the real ground of complaint was that the hon. gentleman could not get his speeches published as he desired. He complained that the official reports of the Debates were not published in the regular edition of any Ottawa newspaper. The Committee would have been very glad if they could have effected such an arrangement, but the newspapers could not give space even for the eloquence of the hon. gentleman. The choice, therefore, lay between the system of last session—*Hansard* form—or the system which had been adopted. The hon. gentleman had referred to the course taken last session in appointing a sub-committee to make arrangements for the reporting and publication of the Debates for the present session. That Sub-committee consisted of himself, (Mr. Campbell), the hon. Senator for Saugeen, (Mr. Macpherson), and the hon. Senator from Toronto, (Mr. Brown), and the reason why they had been selected was that they all lived in Toronto and had opportunities to meet. They did meet, but the hon. Senator from Toronto was not present.

Hon. Mr. BROWN said that he had not been asked to attend.

Hon. Mr. CAMPBELL said that there must have been some misunderstanding. He had got a letter from the hon. gentleman stating that he would attend.

Hon. Mr. BROWN said that he had been informed that the meeting was postponed. A second summons he had never received.

Hon. Mr. CAMPBELL said that the notice had been sent. The offer of the present contractor had been accepted, and it was the best arrangement that the Committee had been able to make. Nobody could have more experience in such matters than the hon. Senator from Alma,

and he was anxious, as all the members of the Committee were, to give publicity to the Debates, and he hoped that the House would believe that they had done the best they could under the circumstances. The Debates were as well reported as they possibly could be, with the limited space at the disposal of the newspapers. He could not, of course, assent to the motion before the House. The hon. gentleman could not suppose that the present Committee would be discharged, and another appointed in its stead. : If at the beginning of next session the hon. gentleman had any suggestion to make as to adding any names to the Committee, he, (Mr. Campbell), would be happy so far as he could, if he occupied the place he now did, to give effect to his desire in the matter.

Hon. Mr. MACPHERSON said the Debates Committee had been summoned to meet that morning to consider propositions for reporting and publishing the debates of next session, but owing to the members being engaged on other Committees at the same time they could not attend. Another meeting had been called for to-morrow, and the Committee would be able to report to the House. He was very sorry that there should have been any misunderstanding last winter as to the meeting of the Sub-committee in Toronto, as he had taken a great deal of trouble to have Mr. Brown notified of the meeting. The first meeting that was called at the instance of Mr. Campbell, for some reason or other, it was not convenient for all to attend. Then he had called another meeting for another day, provided that day and hour suited their hon. colleague, (Mr. Brown), and requested the present contractor to call and see the hon. gentleman, and ascertain if that appointment would suit him, and, if not, to ask him to name his own time, and communicate it to him, (Mr. Macpherson), and he would report it to Mr. Campbell, so that they could have a meeting. It was his impression that it had been done, and that he received a message which he repeated to the other member of the Committee. He was sorry that any misunderstanding should have occurred.

Hon. Mr. McLELAN thought it was very desirable they should have some record of the Debates of this House, but all they could expect the newspapers to publish, would be a condensed report of the proceedings. The Debates would be very much improved if hon. gentlemen would condense their utterances, and he had no doubt any speeches that were considered of interest to the public, would be published by the newspapers *in extenso*. In fact, all that the public had time to look at was a condensed report. Three-fourths of the readers of newspapers had not time to read more than the telegrams in the morning papers, and the tendency of the world was to get news in a condensed form. He held in his hand the *Eclectic*, from which he would quote Prince Bismarck's views on parliamentary eloquence :

"The gift of eloquence has spoiled much in Parliamentary life. So much time is needed, since all who think they can do something must have their say, even when they have nothing new to bring forward. There is too much talking in the air, and too little to the purpose. Everything is already arranged in the party meetings, and so they speak in the House solely for the public, to whom they want to show what they can do, and still more for the newspapers which are expected to praise. The day will yet come when eloquence will be regarded as a quality injurious to the State, and punished when it is guilty of a long speech. We have one assembly which practices no eloquence, and which has, nevertheless, done more for German interests than any other—that is the Federal Council."

Hon. Mr. READ said it was apparent to the House that they were not getting value for their money in the way the Debates were published, and he thought some change should be decided upon before the close of the session. He had been credibly informed that for a trifling increase in the expense they could have the reports published in the regular edition of the paper in which they now appeared.

Hon. Mr. BROWN said the best plan for securing a satisfactory report would be to employ a staff of reporters to take notes in short turns, as in Congress and in the English House of Commons, and retire at once to a room and write out their notes on the manifold system. Copies of the reports could thus be placed at the disposal of the press. The newspapers could take as much or as little as they liked, and condense as they pleased ; but one copy of the manuscript could be pre-

served, bound up for future reference, or placed in the hands of a competent person to prepare a condensed report for publication in the form of the English *Hansard*. His own impresssion was, that the shorter and more condensed the speeches were, the better.

Hon. Mr. ALEXANDER said he perfectly anticipated that his hon. friend, (Mr. Campbell), would take exception to the motion before the House. He would say, however, that the hon. gentleman possessed a very happy talent of making personal reflections when one was endeavoring to correct an evil. He would compliment the Receiver General on that talent and on the generous manner in which he had dealt with so humble a member of this House when he was endeavoring to perform his duty. No man knew better than himself how imperfect his speeches were, but he hoped there were members on the floor of this House who would give him the credit of trying to elevate the character of the Senate, and its standing before the country. In withdrawing the motion he would repeat to the Receiver General the words which he had used on a previous occasion in relationto this evil. When a gentleman who now held a distinguished position in one of the provinces of this Dominion, was leader of the Government in this House, they had to fight the same evil under him, because whatever Government were in power they thought it was not convenient that their utterances should go to the country. What were they afraid of? The majority of this House were friendly to the present Administration. They had warm supporters in this chamber, and why should they be afraid of their utterances going to the country? He would now repeat the words he had then used on the floor of this House:—"If the object and purpose of the Committee appointed to see to the reporting of the Debates, had been to prevent the Debates from going to the country they could not have been more successful."

With the permission of the House the motion was withdrawn.

INDIAN RESERVES IN BRITISH COLUMBIA.

MOTION.

Hon. Mr. CORNWALL, in the absence of Hon. Dr. Carrall, moved,

"That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, all correspondence between the Government of Canada and the Commissioners of the Indian Reserves in British Columbia."

The motion was agreed to.

BILLS INTRODUCED.

The following bills, from the House of Commons, were introduced, and read the first time :

Bill (94) "An Act to amend the Indian Act of 1876." (Hon. Mr. Campbell.)

Bill (57) "An Act to make further provision in relation to Bank Holidays." (Hon. Mr. Campbell).

Bill (73) "An Act to amend the Maritime Jurisdiction Act, 1877." (Hon. Mr. Campbell.)

INSOLVENCY LAWS REPEAL BILL.

SECOND READING.

Hon. Mr. BELLEROSE moved the second reading of Bill (15) "An Act to repeal the Acts respecting insolvency, now in force in the Dominion." He said : I believe it is not necessary for me to enter into an explanation of the reasons for moving the second reading of this Bill. I believe that hon. gentlemen are quite aware of the difficulties which the people of this Dominion labor under through the present insolvency law, and the evils which this legislation has caused are well and fully known to every hon. gentleman in this House. There is a general complaint throughout the whole Dominion that the legislation of some years ago has worked a great deal of mischief in this country, and it is generally acknowledged that something ought to be done either by changing or repealing the present law. The Act now in operation is not based on a sound principle, as it encourages a certain class of debtors to repudiate their liabilities. I say furthermore that our legislature does not possess the right to pass such laws as this. We may take it upon ourselves to so legislate, but it is not within the power of Parliament to say that individuals shall have

the right to refuse payment of their debts. Another reason why this House ought to reflect seriously before they refuse to pass this Bill, is that the voice of the people have demanded it. It is well known that in the cities, there is an objection to the repeal of the present law, but it is our duty to legislate for the people as a whole, and this law is beneficial only to speculators and business men. A large portion of the community who are compelled to pay their debts in full, when they come in as creditors of a bankrupt merchant, are obliged to accept only what the assets of the estate will pay them — a thing which is quite unfair. This question of insolvency has been before the people, and they have passed judgment upon it through their representatives in the Lower House. We have only to look at the votes and proceedings of the Commons, and we find there that the vote was two to one in favor of the repeal of this law. This being the case, it is the duty of this House to support this Bill which asks for the repeal of the Insolvent Act.

Hon. Mr. DICKEY—In rising to second the motion for the second reading of this Bill, I think it right to ask the House to refer to the position of this question. I suppose it will be conceded on all hands that the elements of a good bankruptcy law should be simplicity in its enactments, and simplicity in the mode of procedure—in short, that it should be a law easily understood, and easily carried into effect. Now, are these conditions fulfilled in the existing law? I am afraid, hon. gentlemen, that they are not. This bankruptcy legislation dates only ten years back, and the first Act that we find on the Statute Book is that of 1869. That law was no sooner passed than it began to be amended, until these amending Acts culminated in the Act of 1875, which was thought to be a perfect piece of legislation. That Act, itself, has been twice amended since that year—in 1876 and 1877. I refer to these facts to show that the Act was secarcely on the Statute Book before its defects were discovered, and the House will not be surprised that it was necessary to make amendments, when I tell them that these last Acts comprise 213 clauses, and occupy 75 pages. Under these circumstances the House will have no difficulty in understanding why it is that there have been so many differences of interpretation, and ordinary people have found it so difficult to get at the real meaning of these Acts; and why it is that many professional men, who have not made the law a special study, are at a loss to give advice on its complicated provisions. We all know that the construction of various clauses, the cumbrous machinery provided, and different modes pointed out for carrying the Act into effect, have resulted in enormous expense and appeals to higher courts, and ultimately an overwhelming desire that the Act should be swept off the Statute Book. Under such circumstances, we have this repealing Act passed through the Commons, and let me say it is an act which the hon. gentleman who moved the second reading, properly termed an act to give expression to the will of the people, because it was passed by an overwhelming vote of two-thirds of the representatives of the people in face of the opposition of several members of the Government and the leading members of the opposition as well; and I was about to add, that it was passed by members fresh from the people. I do say, that if ever, under any circumstances, that expression should receive the sympathy and support of this House, it is in a case where, under all these adverse circumstances, that I have noticed that expression has found vent in this Bill affecting the whole people being sent up to us by this decisive vote. I would go further, hon. gentlemen, and I may as well take the point now. I shall most decidedly object if influence is to be used in this House on the part of the Government to defeat this Bill. I shall most decidedly object to the Senate being made a buffer between the Government and the well understood wishes of the people of this country, or between the Government and the people's representatives. I think it is our duty, unless we find some overwhelming reasons to take issue with the House of Commons, to give effect to the wishes they have so strongly expressed. Hon. gentlemen know perfectly well that in times past it has become my duty, as one of the members of this House, occasionally to initiate or to support opposition to measures coming from another place. In doing so, I always did it with the knowledge of the constitutional re-

sponsibility devolving upon gentlemen here constantly before my mind; and, I may say, looking back to the record of the past, it appears to me that the opposition we have made to measures when we have had to differ from the House of Commons, has been justified by the event, and has been supported by the country. Under these circumstances, I ask if we have always been so careful in opposing the last Government, and the previous Government, to keep in view the public sentiment of the country. Should we, at this time of day, throw out a measure that has been passed by such an overwhelming vote of the representatives of the people. I have objections to make to the law which is on our Statute Book, and I preface my objections by saying that it is perfectly evident at the present moment, the question lies entirely between the adoption of this Bill, and the leaving of the obnoxious Act of 1875, and its amendments on the Statute Book, It is no question whether we can improve that Act; it is no question whether we can submit a better law, but it is a question whether we shall pass this repeal Bill, and allow the Act to be suspended for nine or twelve months, until a simpler and better measure can be submitted, or whether we shall throw out this Bill and allow this obnoxious Act to remain on the Statute Book. If we are to throw out this Bill, and continue the old law, the objections to the present Act are many and obvious. The first one that strikes one is that, in its operation, it amounts to a premium upon fraud and dishonesty. With such a law as that upon the Statute Book in times past, as in the future, if we allow it to continue, a man, when he finds that he can get the slightest credit, goes into business with small capital and less experience, and with the advantage that if he succeeds, it is well, and if he fails, it is equally well with him. Because if he fails, he can wash out his liabilities by means of the Insolvent Act, and if he succeeds, he pockets the advantage of it. It is just a game of toss up, "heads, I win; tails you lose." We do know that this result of its operation is not confined to this country, and the saying has almost passed into a proverb on the other side of the line, that before a man can become rich in the United States he must fail three times. It is no wonder, because it is the natural result of the operation of that Act. A party goes into bankruptcy, we know how, in practice, things are managed then. There is the question of the choice of an assignee, the choice of inspectors, etc., and the result is that by means of the aid of friends and relatives, and by a false sympathy that people have for persons in difficulties, the man almost controls the estate. If he has a friendly assignee and a friendly inspector, he is left to manage the business and thus practically controls the property, while the unfortunate creditor must either submit to any composition that may be offered to him, or, in the end, get but a miserable percentage of what is due to him. Then when you go further, you find that all this is attended with enormous expense which diminishes in every way the small pittance the debtor may be liable to pay, because costs of assignees, lawyers' costs, court costs, and other expenses, when counted up absorb a large portion of the estate. That being the case, let me ask the House to consider what the effect of the repeal of the law will be. We have had ten years experience of the Act of 1869 and the amended acts, and we know that the results have been most disastrous to the the commercial morality of this country. They have been most disastrous to the great mass of the people, no less than to the great banking interests of the Dominion, and if these institutions could realize their true interests, they would vote for the repeal of this law. It is contended that if we pass this repeal we will let in preferential assignments, and that a very bad insolvent law is better than none at all. We are also told that it will lead to increased litigation.. These two propositions are rather inconsistent. Supposing the present law is suspended for nine months, until a proper law should be introduced, what, after all, is the great evil! It is simply this: that the party may give a preference to a certain creditor. But the objection to take away the power is this: that while the power exists of giving these preferential assignments the party is in a measure, protected from being sued. That is the great saving clause, when you come to consider the question of increased litigation. The truth is, that the result will be very much less litigation in consequence of the party being able to give pre-

ferential assignments. I do not say I will support the principle of preferential assignments when properly brought before us, but I do consider it the lesser of two evils, and it is better to run the risk of that than to bear with the evils we have now. Under the operation of the present law, runners and travellers from importing houses spread themselves over the face of the country; they force their goods upon traders with the knowledge that the wholesale merchants know very well the position of the parties, and if they fail to meet their notes when they mature, they are down upon them at once, to get the first slice, while other unfortunate creditors are constrained to wait. The practical operation of this Act, will be, when traders make large purchases, they do it with the knowledge that the creditors may come down upon them sharply whenever they fail to meet their payments. In this way, though small creditors would be very often thrown out of their money, if the law be repealed, the wholesale merchant will be less willing to run the risk of not getting the price of his goods, by failing to get the first cut, and thus credit will be diminished. There is another evil connected with this that has been made startlingly manifest during the past few months. It is, that when persons are thrown into insolvency their stock is forced into the market and sold at any price, and they come into unfair competition with the honest trader who is either obliged to sell at a reduced rate or does not sell at all. When his notes mature he is unable to meet his engagements, and it thus operates unfairly against the honest trader who desires to pay his debts. The first effect of this repeal—and it is the argument I shall rely upon—will be to produce diminished credit, because, after all, this question of credit lies at the bottom of the whole difficulty, and if you can contract or diminish that credit, you will, to a large extent get rid of the evil. It is perfectly manifest that this must be the effect, because when there is no bankrupt law, the merchant who is disposed to supply a man with goods, does so with the knowledge before him, that he must take his chance with other people of being paid, and he will think twice before giving credit. The result will be diminished credit, and it appears to me that will be anything but an unmixed evil in this country. It is well known that in former years there was very much less credit given than there is now. Under the former Act, I contend there was less commercial immorality than there is under the present Act, which has been a premium for that immorality, and the result has been most demoralizing to the business community of this country. I have had some thirty five years experience as a practising lawyer, and had a good deal to do with the people of a large county, and I am bound to say as the general result of my experience, that where an unfortunate debtor showed a disposition to be honest, he was rarely dealt with harshly but had no difficulty in settling with his creditors. In former years when a man got into difficulties, he called his creditors together and made a proposition to them, or assigned his property to be divided amongst his creditors, and the result was that he came out of his difficulties without loss of character. But the case now is, who shall take out the first writ of attachment, and declare a man bankrupt, if he fails to meet his note on a particular day. I have referred to the increase of litigation that has been caused by the bankruptcy law, and I appeal to the practicing lawyers in this House to say whether the repeal of this Act will not result in decreased litigation, taking into consideration the enormous expenses that are now incurred as the result of the operation of the law itself? Let me ask the House to consider this point also; that if the Act is not repealed what will be the result? It is perfectly well known to the public that the insolvency law, if it is continued, must be amended next year, and you will find business men for the next twelve months rushing into insolvency in order to take advantage of the Act which is mainly in the interest of the debtor. I am told that within the last three months the number of cases of insolvency has increased by twenty per cent. over the corresponding period of last year—an increase due mainly to the impression that the question of insolvency would be dealt with this session. I ask the House what would be the result of throwing out this Bill, and leaving the country to the tender mercies of the Insolvent Act? Some hon. gentlemen object to this Bill, as they say the time is too

short, and that notice should be given before it goes into effect. That is, however, its best merit in my eyes. If the Act is to be repealed, it should be done so as not to give the people a chance of availing themselves of a law that affords so little protection to the creditors. A Committee of the House of Commons spent a month in making a Bill for the purpose of giving increased protection to the creditors. Something has been said about the interest of banks in this country. I have found, from the experience of my twenty odd years in public life, that whenever there is a question raised affecting banks or bankers they have always had plenty of defenders "to the fore," and I dare say we will have the interests of the banks thrust upon us to-day. But I beg to remind the House that there are other interests at stake in this question; there is the great mass of the people, the debtors and creditors of this country, who are chiefly interested, and if all the bankers of the chief cities in the Dominion were against the repeal of the Act, which I do not believe, I should appeal confidently to the House for justice on behalf of the people of the country. I have, however, had an opportunity of knowing that not all the bankers and not all the merchants are against the repeal of this law. I know there is a very considerable number of them opposed to the Act. But even if it were not so, I should say that we are bound to protect the great body of the people without reference to particular interests, which know very well how to defend themselves. They have able advocates in both Houses of Parliament, and no doubt they will have able representatives here, but I do think it right to warn the House against any such influences as that, and to look at this question calmly and dispassionately, free from any other interest than that of the great body of the people. It is fortunate that I am not obliged to warn the House against any influence of the Government, as I take it for granted that no such influence will be used, for the Government are divided on the subject, so that we are free to go into the question, and do what will best subserve the interests of the country. I can only repeat that the practical operation of the Insolvent Act has been to the advantage of the debtor and the disadvantage of the creditor. The report of the Committee is the very strongest condemnation of the existing law. The House of Commons were almost unanimous in the feeling that the present Insolvent Act is a most odious law, which, if not repealed, should be most materially modified. The question then, before the House is simply whether we shall continue the present Act, or try the experiment for a few months of the effect of repealing the law. For my own part I prefer the latter course, and I trust this will be the sense of the House also. It will be remembered that this country was at one time without a bankruptcy law. We were a prosperous people then, and we had no such charges against the commercial morality of our business men as we have unfortunately seen within the last few years. It is for these reasons I desire in the interests of the good name and good fame of this country, to return to that happy state of things which existed before the enactment of the present law, and under the circumstances I hope the House will have no hesitation in allowing this Bill to be read the second time.

Hon. Mr. HOWLAN—I have not troubled the House much this session, and it was not my intention to have done so at all. I have listened with a very great deal of attention to the remarks of my hon. friend from Nova Scotia, and the elaborate manner in which he advocated his views. I am one of those who deny that the people of the country at large are in favor of the repeal of this Act. I have yet to learn that any portion of the people of Canada have petitioned the Legislature to remove that Act from the Statute Book. It may be so, but I am not aware of it. I have also to remark at the outset that I am pleased with the very great respect which the Hon. Mr. Dickey has paid to the majority in the other House, but I do not forget that within my own experience in this Chamber he has not always entertained such very high respect for the majority in that body. I must also say this—that one cannot help remarking the fact that in the first three months of the present year the failures reported by one of the commercial agencies amounted to $11,000,000. I am not aware, from my experience as a merchant and from mixing with

the mercantile classes, that these failures have arisen from demoralization, but, on the contrary, I believe they have arisen from the very great depression which has prevailed. We find that the stocks of our first banks have fallen from 200 down to 128. We find that in New York and the great business centres, that values have diminished greatly, and we would be in an exceptional position, if we did not feel the depression also. I am aware also of the fact, that another body, of whom I must not speak here, has decided by a large majority, to repeal the Insolvency law, but it must not be forgotten that a very respectable, energetic and intelligent minority in that House brought in a very voluminous Bill on the subject of insolvency, and one of the reasons assigned for the defeat of that Bill, was, that it was too voluminous, and, therefore, could not be thoroughly considered during the pre sent session. Out of that debate arose this Bill for the repeal of the existing law. I do not believe that the depression is all ended yet ; on the contrary, I believe that many honorable men who have struggled for the past five years through this prolonged depression. and have endeavored to maintain their commercial characters will yet succumb. If you do away with this Bill, what will be the result to such men ? One or two creditors could come in and, under, the regulations laid down by my hon. friend take action against the unfortunate debtor and deprive him of all he possesses. The hon. gentleman, (Mr. Dickey), says that in his experience as a lawyer in his own province he has very seldom known a case where a debtor has had difficulty in settling with his creditors where the case was straightforward. The hon. gentleman must rub up his memory a little, and he will find that in some cases, at all events some two or three creditors will hold out against the majority and the unfortunate debtor if he has a wife and family is compelled to go out of business, because he cannot get credit while his debts are outstanding. It is not too much to say that there are men who become unfortunate in business who are important to the carrying on of the commerce of a country like this, where experience and commercial education are perhaps as necessary as training for any other profession. It would be a loss to the country if such men were driven out of commercial life. My hon. friend, (Mr. Dickey), tells us of a case where, on one side of the street men are selling bankrupt stock at very low prices, while on the other side of the street there are merchants who have not gone into bankruptcy who can hardly command enough business to make their receipts cover expenses. There is no argument in this. The man who is in good circumstances can buy the bankrupt stock and have the advantage over the creditors, and he can play the same role as the other. You cannot prevent that any more than you can prevent water running down hill. I am surprised that an hon. gentleman whose ability has been so marked in the advocacy of any cause which meets with his approval should have displayed so little in this instance. It only proves that he has not a case on which he can exercise the ability which usually distinguishes him. Suppose a merchant dies, for example, what does the law provide shall be done in that case ? It says that if he die without a will, or he appoint executors before his death, they are given twelve months to wind up the movables, and some three years (at all events in my Province) to wind up his real estate, and that property together forms a sum which is divided amongst his creditors. But without a bankruptcy law what would follow ? The first creditors who would make a seizure of his property and sell out would get paid, and the others would have to take what they could get. In Quebec they have a law by which the property of an unfortunate debtor can be divided amongst his creditors, and there is an end of it, but it is very different in the provinces where there is no legislation of the kind. I remember in Prince Edward Island we brought in a bill of this kind at one time and I can understand that it is one of the most difficult questions upon which we can be called to legislate. I am only surprised that the Government did not bring in a measure on this subject themselves. However, they have been but a very short time in office, and they have had several very important matters with which to deal. I hope that the House will see fit to leave the existing law on the Statute Book until next session, when the Government may be in a position to deal with

the question. My hon. friend from Amherst spoke about the bankruptcy law demoralizing the commercial morality of the country. I had a conversation with a gentlemen who has been a member of the Dominion Board of Trade for some years, and engaged in one of the largest wholesale houses in Montreal; he is a man of experience—he is past middle life, and his experience extends to all parts of the Dominion. I asked his views upon this subject, and his answer was this,—"I am not aware that there is one per cent. of the bankrupts of the Dominion of Canada who have failed through any improper cause." My experience goes to show that in the great majority of cases the failures have resulted from the fact that men have shown too great a desire to keep out of bankruptcy and have fought against it too long, and as a consequence have paid a very small amount on the dollar of their debts. That was the argument advanced by the gentleman who brought in the new bankruptcy bill in the other House, and who provided that the rate on the dollar should be 50 cents. I asked also a gentleman in the western portion of Ontario who has had 25 years experience of mercantile life, and he told me the very same thing. It is not the experience of those with whom I have conversed or of myself that the mercantile occupation is a demoralizing one. On the contrary my experience, and that of others, is, that no merchant who has a name and a reputation for business, will go into bankruptcy any more than a captain on the high seas will give up his ship while there is any chance of success. Suppose you repeal this Act what takes place? There is no question about it, every man who has had any experience at all during the last five years as a commercial man, or who has had any experience of the working of the Bankruptcy Act, knows that the merchants of Canada have been fighting against bankruptcy with a vigour and energy unequalled except by the soldier on the battle field. Our merchants have been trying to brave the storm for years. But what takes place if you repeal this Act,—you will drive these men out of commercial life. Then we will have a taste of the system advocated by the hon. gentleman. First come, first served. Men who have passed the meridian of life wil be driven out of commerce, robbed of their reputation, their means and their occupation. This question of insolvency has engaged the attention not only of our own legislatures but of the people of England and of the United States. In the latter country they have repealed their Bankruptcy Law, but what have they done there,—they have given twelve months notice of its repeal, and I may state that the question received in that country very careful consideration. My hon. friend from Amherst says that credit is ruinous to the country. As any merchant will tell you, it is impossible to carry on business in a new country like this unless it is done on credit—in fact the the whole business of the world is conducted in that way. You cannot carry on any mercantile or manufacturing business without credit, even though you have very large capital. I think I am safe in making the assertion, that no wholesale business is carried on except on credit. There must be a certain amount of capital, it is true, but there must also be a certain amount of credit. The hon. gentleman from Amherst, stated, in his concluding remarks, that he thought this law should have a nine months' rest. Now, what are the circumstances of the country that require such a rest. I think, on the contrary, that the continuation of the Act is a necessity. We have fought out this question of protection and free trade, and the people have pronounced in favor of protection. We find it announced in the newspapers that new mills, new industries, are springing up in every direction, and that established industries are showing signs of vitality. Are you going to carry on such industries without commercial men? You might as well try to sail a steamship across the Atlantic without coal, as to carry on the business of the country without commercial men. After all the committees on bankruptcy and insolvency that have sat in both Houses of this Parliament—after all the deliberations of Boards of Trade and the comments of the public press, have we reached a particular time in the history of this country when all the experience of the past is lost? I really cannot think that the House will look upon this matter from any standpoint but the fact that if the existing law requires amending it should remain on the Statute book till

next session, when the Government can deal with it if necessary.

Hon. Mr. RYAN—I shall make very few remarks on the question before the House, it has been so ably dealt with by the mover and seconder of the Bill on the one side, and by the hon. gentleman who has just sat down on the other. But while supposing and admitting that there are many faults in the existing law, many matters requiring to be amended—although I do not at all go the length of admitting that the defects are such as they have been described by the hon. Senator from Amherst—still I must say that the mode adopted of putting a sudden and abrupt end to this law does not commend itself to my mind, nor will it, I hope, to this House or the country at large. Every one was in expectation that a satisfactory Bill was in preparation in the House of Commons. It was known that a Committee of that House was giving it a good deal of attention, and that a measure which would, I am sure, have met with the approval of the country was being prepared. We all know how that measure was treated when the report of that Committee was brought up. Without much—I may say, without any consideration—without, I believe, in many cases, its having been read or looked into—

Hon. Gentlemen—No, No !

Hon. Mr. RYAN—Hon. gentlemen say, "no, no," but I believe that there was no consideration given to it, and that the Bill as reported was without due deliberation thrown out. I admit that it was voted down by a large majority, but if I understand the functions and the practice of this House, one of the first duties appertaining to the Senate, is to intervene where hasty legislation has taken place in the other Chamber. Now, I believe that it will be admitted that the legislation in this case has been, to use no stronger word, hasty. I think if a little more consideracion had been given to the matter, that a measure might have been introduced much smaller in dimensions than the one now under consideration, or even than that which was defeated so recently—one which would meet the views of the hon. Senator from Amherst—one which we could all most cordially concur in, and which would have made provision for the rateable distribution of insolvent estates ; and would have prevented debtors from granting preferences to favored creditors. I believe that the interests to which my hon. friend alluded, not apparently in the most friendly tone—the banking and commercial interests of the country—have some right to an opinion on this subject, and that a step of this sort ought to be maturely considered before we plunge into a state of things the effect of which has not been weighed sufficiently. I presented to-day two petitions—one from the most respectable and the largest number of the wholesale merchants of Montreal, and the other from that dreaded body which my hon. friend from Amherst looks upon with such fear and doubt—the bankers of Montreal, who represent a great deal of the capital which maintains the business of the country. The latter petition has, I believe, been signed by almost every bank in the City of Montreal, whose branches are all over the country. But I do not wish to bring up that particular interest, however important, to influence this House unduly. The banks take their share of the business of the country, and they take an intelligent and broad view of its requirements. I believe they are quite as capable of forming an appreciative opinion on the subject as any body of men in the country. Their success depends altogether upon the prosperity of the country, and I believe they would not come forward and recommend any measure, or petition for any measure, that was not likely to promote the welfare of the Dominion. I have said so much for those gentlemen, because they have been particularly alluded to by my hon. friend from Amherst. As to their bringing any undue influence to bear upon the Senate, I trust that this House is above such influences, and that any attempt to unduly influence this House would be rejected, as it ought to be. But I hope that the Senate will consider their own dignity in this matter, and not be swayed by aspersions thrown out against any body of men or be influenced by the argument of a large majority in the other House upon this question. I can easily understand how my hon. friend who moved the second reading of this Bill feels

less upon the subject than others differently circumstanced. My hon. friend lives in a province, and is in the midst of a population who have their own valuable law, which is a most equitable one, and if that law extended over the whole Dominion there would be much less objection to repeal this Bankruptcy Act, for that legislature provides, I understand—not being myself a lawyer—against preferential assignments and arrangements by which one creditor can come and sweep the whole property of a creditor away to the detriment of his general creditors. The large cities of the Dominion, Montreal, and Quebec, St. John, Toronto, Halifax and many others have large transactions beyond the mere province in which they are situated, and when the merchants of those cities go outside their own provinces they require a general law to regulate insolvency or bankruptcy, in order to make their transactions reasonably safe. If this Act is swept away they become subject to the local laws of the several provinces. I have a letter before me from a gentleman in St. John, New Brunswick, learned in the law. I shall not read the whole of the letter.

Hon. Mr. DICKEY—I hope the hon. gentleman will give us the whole of it. It will confirm my opinion that the lawyers are in favor of the existing law.

Hon. Mr. CAMPBELL—I do not think they are.

Hon. Mr. RYAN—I think if you analyze the vote in the other House you will find that a majority of those who supported this Bill belong to the legal profession.

Hon. Mr. KAULBACH—No, no.

Hon. Mr. RYAN—I think if you look into the division list you will find that they are. What I wish to say is this: I believe that great confusion would ensue if this Act should be repealed without another one being substituted for it, and that the lawyers would reap a rich harvest, and consequently most of the lawyers—I know there are some very distinguished exceptions, and I give them credit for it—would consider they would be the gainers by the abrogation of this Insolvent Act. I will now read, for the information of the House, the letter to which I refer.

ST. JOHN, N.B., May 1st, 1879.

"I see by the paper that a Bill to repeal the Insolvent Act has gone to a second reading in the House of Commons. By our Province law property may be attached as security to satisfy the judgment which the plaintiff may recover. In case of successive attachments the property is held as security to satisfy the judgments *according to the priority of the attachments*. Where there is an assignment or attachment in insolvency, the attachment issued under our law can be dissolved. But for this latter provision there would be a race to attach, and thereby secure priority for one creditar over the other. Under these circumstances the effect of rhe total repeal of the Insolvent Act in this Province, if it come into effect before we can adopt our Province law to meet the change, will be simply dreadful in its consequences. I therefore write to direct your attention to the matter."

Hon. Mr. KAULBACH—Is the writer of that letter a solicitor of a bank?

Hon. Mr. RYAN—I do not know. I have no acquaintance with the gentleman, but I suppose he takes business wherever he can get it.

Hon. Mr. DEVER—Are you aware that he is the solicitor for the Bank of British North America.

Hon. Mr. RYAN—I was not aware of it before, but if so, I presume he is a very respectable barrister.

Hon. Mr. DEVER—He is a very respectable man.

Hon. Mr. DICKEY—But he is the solicitor of the British North America Bank.

Hon. Mr. CAMPBELL—That is no objection I hope.

Hon. Mr. RYAN—I believe I am backed in my opinions by a vast majority of the commercial men of the city from which I come, as well as of all other commercial centres in expressing a belief that it would be a great misfortune if this Act were repealed and no law substituted for it. I do not see that we can in any way do much damage to the Dominion, by allowing the existing law to continue on the Statute Book for another year. If it

has produced all the evils that have been attributed to it, it must have exhausted itself, but according to the deplorable accounts given I do not think that there can be so many dishonest people left in the country as to produce another stampede of insolvents, and I really believe that the whole thing is a mistake, and that the immorality which has been described is not attributable to this Act. In order, to give, however, a practical form to the debate, and in order that we may know exactly on what footing we are now going to vote, I will conclude my remarks by moving that the Bill be not now read a second time, but that it be read this day six months.

Hon. Mr. THIBAUDEAU—In rising to second the motion of my hon. friend from Victoria, I have only a few remarks to make. I am sure that this House will pause and ascertain what will be the position of the commercial community if we should repeal this law which regulates almost all the transactions between creditors and debtors. There are many things to be considered before removing the Insolvent Act from our Statute Book. The law was framed to protect both the merchant and the honest trader, and if it should be repealed in this critical moment in the commerce of the country, both will suffer, and be left to the entire mercy of fraudulent and dishonest merchants. The principal objects of the law are to obtain possession of the insolvent's estate for the benefit of the creditors, realize the proceeds, and distribute them equally to the creditors. Have not these two vital objects been obtained by the existing law, and how will the creditors be situated, if that law is repealed? Where do you find legislation either in Ontario or Quebec, giving them power to take possession of an insolvent's estate? Where are the laws in Ontario to prevent an immediate transfer of property to a friend or a relative? We have been told by the hon. Senator from Amherst that the repeal of the law will dimininish litigation in the courts. Certainly, if the commercial laws of Ontario are not changed—if these preferential assignments and fraudulent transfers are permitted — litigation will certainly be diminished; and this may be his reason for saying so. The Insolvent Act has no doubt fallen into disrepute among certain classes of the community, but I believe that this is due more to inconsiderate canvassing and misrepresentations at time of election than to the real working of the law. I have had a great deal of experience of the Act, both in good and in bad times, and I can assure this hon. House that it has been of great service to the commercial community; and its repeal, without substituting some measure to secure equity, and wind up insolvent estates, will be a great calamity to the commercial classes. I am informed by representatives of rural constituencies in the House of Commons, that their votes represented more the views of their constituents than of themselves.

Hon. Mr. DICKEY—Hear, hear.

Hon. Mr. THIBAUDEAU—I have yet to learn that the Insolvent Act has caused any harm at all in the rural parts of Quebec. It has been, unfortunately, my lot to look over many dividend sheets, and I have very seldom, if ever, seen the names of farmers figuring in these interesting documents. Therefore, I say that their prejudice against, and their opposition to, the law, has been the result of misrepresentation. If the people have been led into error by such means, I say that it behooves this hon. House to give its powerful protection to the trade and commerce of this country, and save the creditors who abide in the stability of our laws, from loss and ultimate ruin. What was the position of the creditors before 1864, and what will it be if this law be repealed? In Quebec, there are no laws to protect the creditors from dishonest debtors, and the commercial community will be left at the mercy of the latter; and you will see them living on our property, and even fighting us in the courts of the Dominion with our own money. If the law is repealed, the creditors have no alternative but to sue by an action in court. If they get judgment in the Superior Court, this judgment is appealed from by the insolvent who means to be dishonest in his transactions with his creditors. From the Court of Review he may go to the Court of Appeal, and from the Court of Appeal to the Supreme Court. The delay thus occasioned gives the debtor months

and often years, to manipulate and squander whatever remains of his estate which otherwise might have gone to the creditors under the Insolvent Act. In Ontario I understand the position of affairs is no better. By collusion between a dishonest debtor and a dishonest creditor, the honest creditor may be deprived of every farthing of his claim. In Ontario also a debt can only be collected by getting a judgment of a court. Of course the debtor may contest the claim, and while this opposition to the action is going on in the courts, he can voluntarily assign to a friendly creditor or a relative, and defraud the other creditors out of their share of the estate. In New Brunswick I believe there is no provision for the protection of creditors. I feel it my duty to call upon this honorable House for protection, and I ask whether it is just, fair, or desirable to place the commercial community in such a critical and unwarrantable position at a time when they have fought their way through a prolonged crisis, and are almost exhausted by the struggle. I would remind the House that in the Province of Quebec we have no definition of commercial fraud outside the Insolvent Act, and therefore if this law is repealed, a creditor can only touch the estate of an insolvent by going before the court, and swearing that the debtor is making away with his estate. Every one of my hon. colleagues from that province knows that this is a dangerous game, and if the plaintiff fails to prove his allegations, he is exposed to heavy damages. Pending the opposition to this or any other action, the dishonest debtor may dispose of all his property without the creditor being able to do anything to prevent him, and leave the creditors without a dividend, and with heavy costs to pay to professional gentlemen. Is not that a worse position than any insolvent act, however bad it may be? In Ontario, though I am not familiar with the laws of that province, I know what they used to be, and I believe that no man of common sense would like to go back to the game of grab, that prevailed before the Insolvent Act was passed.

Hon. Mr. SMITH—I rise to speak a few words against the opinions expressed by hon. gentlemen in this House, for whom I entertain the greatest respect. I feel deeply interested in the vote which is to be given by this honorable body upon this question. I would not have objected so strongly to the Bill, if it proposed in any shape or manner to substitute some legislation for the Insolvent Act as it now stands, to provide for the distribution of the estate of an insolvent. With all due respect to the large majority in another place, I think their decision has been hasty. I speak now as a trader, and one largely interested in the welfare of this country. We have suffered from a protracted depression, and I think we have now reached the turning point. At such a critical time it seems to me that to suddenly repeal this Insolvent Act would have a serious effect on the mercantile community, and on the banking interests of this country. No mercantile operations can be properly carried on without the assistance of the banks. All interests are united in desiring to promote the welfare of the country, and I do not think that any reflection should be thrown upon them, because they petition this House to check hasty legislation. What will be the consequence if we pass this Bill? If a man should fail, some creditor would get the first judgment, and take every thing the debtor possesses, leaving nothing for the other creditors. The debtor would satisfy one creditor, and make enemies for all time of the rest. I have known many instances of this kind in Upper Canada, and I ask the House to reflect seriously upon this Bill, before taking a step which will prejudiciously affect the trade of this country. I ask them to pause before they injure the institutions of the Dominion, and establish the "preferential grab," as it has been very properly called. I ask the House what interests are entitled to protection, if not those that have petitioned us against this Bill. The banks, the importers, the boards of trade of the various cities have petitioned us, and I ask what other interests remain to be considered? Does the farming interest petition you to pass this Bill? Does the mechanic or the laborer ask for it? No. Their interests are the same as ours, because they know that while the insolvent law is in existence, every bankrupt stock that is sold is to their advantage. I ask the House to weigh well the consequence of passing this Bill, without placing a substitute for it upon the Statute book of the country.

The certain effect would be to entail loss upon the mercantile community, and bring ruin and discredit on many worthy men. I have been a trader for many years, and have sold goods all over the country, but I did so with my eyes open, knowing that there was a bankrupt law in existence, and that if any of my customers should become insolvent I would get my share of his estate in payment of my claim. That is fair and just. It is quite true that there have been sad cases brought under our notice, that there have been dishonest men in trade, and I suppose there will always be, whether we have a bankrupt law or not. I ask that this matter be allowed to stand for twelve months longer, until we ascertain the feeling of the country upon it. Perhaps the Government may, between now and next session, prepare a measure which will be satisfactory to Parliament and to the country. I do not ask them to commit themselves to it as a Government measure. I think it would be unwise for them to do so, for it would interfere with the rights and privileges of many people. They should seriously consider between now and the next meeting of Parliament whether they should not bring down a measure which will be satisfactory to the Dominion. The mover of this Bill says that the cities are interested. That is true. They are deeply interested. The importers of the whole Dominion dwell in cities. The importers came to the cities, and why should they not be interested? But I ask who are demanding this Bill? You will find that the professional gentlemen want it because, no doubt, it will add something to their business, and restore the state of things which existed before we had bankruptcy laws. The merchants of Toronto have telegraphed me to rise in this House and ask that the Insolvent Law be not repealed; and I trust that the Senate will not force the mercantile community into a false position. There are many hon. gentlemen in this House who will not be affected at all by the repeal of the Act, and I ask them to consider the interests that will be affected by it. I ask them to weigh the matter seriously in their minds, and not to vote against the large capital which has been invested in this country; because if preferential judgments are allowed, every man in the country who is not secured will try to get the first judgment, and thus wipe out the claims of the rest of the creditors altogether. I do not wish such a state of affairs to exist, because, if this Bill should pass, I will have to go into that kind of work myself, but I don't desire to do so. I have no wish to ruin honest men who might, if they were given time, pay their debts. There are many honest merchants who are struggling hard against bankruptcy, who are willing to pay their debts in full, if they are only given an opportunity. If the Insolvent Act is allowed to remain in force for another year they may succeed, and by that time the Government may submit a measure to the House which will meet with the approval of a majority. Without such a law, merchants who get into financial trouble will fail to get a clearance, because they will not be able to satisfy their creditors, and the end of it will be that they will have to leave the country. Is that the state of affairs which hon. gentlemen wish to see? Although a man may have the misfortune through depression in trade or other causes, to fail, we ought not drive him out of the Dominion. We ought to say to him, if he is an honest man, that he may stay in the country, and if he cannot succeed at one kind of business, let him try something else. Many a noble-hearted man has failed to pay his debts. I ask you not as a merchant myself, but as the representative of merchants, who have telegraphed and written to me to oppose this Bill, to consider the important interests which will be affected by it. I do not know how I will stand as a trader if this Bill should pass. If you analyze the vote in the other House, you will find it is not the capital of the country, or the experienced members who have carried this Bill, but it is the young blood to a great extent.

Hon. gentlemen—(Hear, hear.)

Hon. Mr. SMITH—Hon. gentlemen say hear, hear; but I repeat it is not a Bill which has the support of the thinking men of this country. It is not supported by gentlemen who have the welfare of this country at heart.

Hon. gentlemen—Order, order.

Hon. Mr. SMITH—I do not say that they have wilfully tried to injure the

country, but I do say they have fallen into error, and I caution the House not to pass this Bill, which will have the effect of upsetting the trade of the country, and oppressing men who are struggling hard to pay their debts.

Hon. Mr. TRUDEL moved the adjournment of the debate.

The motion was agreed to.

BILLS INTRODUCED.

The following Bills from the House of Commons were introduced and read the first time.

Bill (104) "An Act to provide for the inspection, safe keeping, and storage of petroleum and other products thereof." (Hon. Mr. Aikins.)

Bill (111) "An Act for granting an annual subsidy towards the construction and maintenance of Telegraphic Communication to and upon Anticosti and the Magdalen Islands." (Hon. Mr. Campbell.)

Bill (112) "An Act to extend 'An Act respecting certificates to Masters and Mates of Ships.'" (Hon. Mr. Aikins.)

Bill (108) "An Act to provide for the payment of an additional temporary grant to the Province of Manitoba." (Hon. Mr. Campbell.)

Bill (74) "An Act to further amend the 'Supreme and Exchequer Court Act.'" (Hon. Mr. Campbell.)

The House adjourned at six o'clock.

THE SENATE.

Friday, May 9th, 1879.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE CONSOLIDATED BANK BILL.

THE PETITION RECEIVED.

Hon. Mr. CAMPBELL moved that the prayer of the petition of the Consolidated Bank be granted.

The motion was agreed to.

Hon. Mr. CAMPBELL presented the petition of the Consolidated Bank of Canada, praying for leave to introduce a Bill to reduce their capital, and gave notice that he would move the supension of the rules in relation to the petition.

THE IMPEACHMENT OF JUDGE POLETTE.

MOTION.

Hon. Mr. TRUDEL moved:

"That the petition of J, Denimcourt and others, members of the Bar of the Province of Quebec, in the District of Three Rivers, and others of the said district, praying that a Committee may be appointed for the investigation of the facts alleged in their petition, against the Honorable Antoine Polette, one of the Puisne Judges of the Superior Court of the Province of Quebec, for the District of Three Rivers, and that on proof of said alleged facts, the Senate be pleased to present to His Excellency the Governor General an Address for the removal of the said Antoine Polette from his said office, be translated into English and printed in both languages, and distributed for the use of members.

The motion was agreed to.

INSOLVENCY LAWS REPEAL BILL.

THE DEBATE CONCLUDED.

The order of the day being called.

"Resuming the adjourned debate on the Hon. Mr. Ryan's amendment to the Hon. Mr. Bellerose motion, that the Insolvent Laws Repeal Bill be now read the second time, viz.: after 'be' to leave out the remainder of the motion, and insert 'this day six months' in lieu thereof."

Hon. Mr. TRUDEL said: Petitions have been presented in this House from gentlemen engaged in banking and mercantile pursuits in Montreal and Toronto against the repeal of the Insolvent Act, and it has been represented that they express the views of these large centres of population. Though I have no right to speak on behalf of the trade of Montreal, as a resident in that city I have had an opportunity of learning the feelings of the public there on this subject, and I consider it my duty to testify to the views that I have heard expressed by the great majority of the business men there upon this subject. I do not hesitate to say that with few exceptions the business population of

Montreal is in favor of the repeal of the Insolvent Act. My hon. friend who moved the second reading of this Bill stated that people in the cities opposed it, but in that I think he is slightly mistaken. The fact is as I have stated.

Hon. Mr. BELLEROSE—What I stated was that the opposition to the repeal of the Insolvent Act was confined to bankers and mercantile men.

Hon. Mr. TRUDEL—It may be taken for granted that the majority of the people in the cities are as much opposed to the present law as the rural population. I do not deny the high authority of the bodies that have petitioned this Legislalature against this Bill, but still I think that they are unnecessarily anxious about what may be the result of its passage. They lose sight of the fact that our civil law protects them amply in this respect. It is not so long ago since we were without a bankruptcy law at all in this country, and I think if we compare the present state of Canada with its condition before we had an Insolvent Act we will readily come to the conclusion that the country would be better without it. I do not say that all the evils of which we complain arise from the existence of that law, but I contend that a great many of the evils of the day are due to it. Very conflicting allusions have been made to the lawyers—for instance, it has been said that a great deal of the opposition to this Bill was expected to come from members of the legal profession in the other House, but since the vote was taken there it has been said that they are almost unanimously in favor of the repeal of the Act. I think there is a good deal of exaggeration both ways. For my own part, I have the honor to belong to that profession, and I may say that although the law is to a great extent favorable to lawyers, I think that we are sufficiently patriotic to act in the way that we consider best calculated to promote the public welfare. One thing is very certain that what is a benefit to the country must, to a great extent, be beneficial to the lawyers also. The hon. Senator from Toronto, (Mr. Smith), stated that he was not inclined to accept the verdict of the other House, because there was a good deal of new blood there. The hon. gentleman should be the last in this House to use such an argument, and I do not think that he would consent for a moment to exchange that new blood for the old blood of the last Parliament. I would have supposed that no member of this House would have hailed with greater pleasure the change that has taken place in the other branch of the Legislature. Hon. gentlemen will bear in mind that new blood comes from the very heart of the country, and it does not rest with us to say that the representatives of the people fresh from the elections do not represent the views of the majority in this Dominion. I wish to correct an error into which my hon. friend from Rigaud, Mr. Thibaudeau has fallen. He stated yesterday that in the Province of Quebec, there is no law to protect a creditor against a dishonest debtor, whilst another gentleman who spoke against the repeal of the law, alleged that there was such a provision in the Province of Quebec, and that if it were extended to all the provinces he would not oppose this Bill. Those gentleman recognizing that in the Province of Quebec, we have a law which affords an ample remedy for the liquidation of an insolvents' estate, contend that the other provinces are not in such a favourable position as Quebec, and for that reason they will not accept this Bill. The hon. Senator from Rigaud may never have made a special study of the laws of his province, but as a business man he ought to have had frequent opportunities to ascertain what the law is in this respect. However, as his memory deceives him, I will quote for his information Article 834 of the Civil Code of Quebec, which is as follows:

"A creditor has a right before obtaining judgment to attach the goods and effects of his debtor.

"1. In the case of the *Denier equipeur*.

"2. In all cases where, as plaintiff he produces an affidavit establishing: that the defendant is personally indebted to him in a sum exceeding five dollars, that the defendant absconded or is about immediately to leave the province or is secreting his property with the intent to defraud his crediters, and the plaintiff in particular; or *that the defendant is a trader*, that he is notoriously insolvent, that he has refused to arrange with his creditors, or to make an assignment of his property to them, or for their benefit, and that he still carries on this business; and in either case that the deponent verily believes that without the benefit of the attachment, the plaintiff will lose his debt or sustain damages."

This provision shows very clearly that in all these cases comprising insolvency the position of the creditor in the Province of Quebec is entirely the same as under the present law. In addition to this article 797 provides for the issuing of a capias if the party being insolvent and not paying his creditors gives them reason to suppose that he is about to leave the province. There are other provisions which are very short and simple, and which give ample remedy for all who have claims to prefer. I think that the question which should be raised on the second reading of this Bill at all events is a very simple one, and I do not see how the amendment of the hon. member for Victoria Division, (Mr. Ryan), for the six months' hoist can be supported. As a matter of fact there are not five members of this House who do not admit the principle involved in this Bill. It proposes the repeal of the present law on the ground that it is ineffective, and fails to give satisfaction to the people of the Dominion. I challenge any hon. gentleman to rise in this House, and say that the law has been satisfactory to the public, or that its working has been favorable to the public interest. Every member of this House, who spoke against the repeal of the present law, admitted that it was the cause of many evils; and their great argument against the Bill is "what shall we do if we have no insolvent law at all." The question, therefore, is this: We recognize the necessity of repealing this law; but some hon. gentlemen say: what remedy shall we have to substitute for it? After the second reading of the Bill, that question will be properly raised, and I would then propose some short amendments to provide for difficulties which may arise. As it is admitted by every body, if the laws of the Province of Quebec were in force all over the Dominion, there would be no practical difficulty in repealing the Insolvent Act. Then, I don't see why, after the second reading, we should not accept as an amendment, some of those articles of the Civil Code, such as I have read. They were framed by gentlemen of high ability, gentlemen whose legal attainments render them high authorities in legal matters. They were Mr. Justice Day, Mr. Justice Ramsay, and the late Judge Caron, who was subsequently the Lieutenant Governor of Quebec. These three gentlemen codified the laws of the Province. Before Judge Ramsay was appointed for that purpose, the late Justice Morin was one of the three. This legislation was taken out of what was the best in the old French laws, and in the commercial laws of England, because hon. gentlemen will remember that while the civil laws of the Province of Quebec were modelled after French law, those concerning trade and commerce were taken from English laws. One objection to passing this Bill is that we are nearing the end of the Session; but I do not see why that should be an objection, when we can take work already done, and, especially as that substitute for the existing law would only be required until next session. In order that hon. gentlemen may read for themselves the remedies provided by the Code of the Province of Quebec, I would direct their attention to the following articles. First, there is article 1981 of our Civil Code, which lays down, in a very few words, the general principle which governs all this matter, and is a remedy against one creditor swallowing up all the estate of the insolvent. It reads as follows:

"The property of a debtor is the common pledge of his creditors, and where they claim together they share its price rateably, unless there are amongst them legal causes of preference."

And article 1982:

"The legal causes of preference are previleges and hypothecs."

To put in operation this short disposition of our Civil Code we have Act 603, of the Code of Civil Procedure which says:—

"When the moneys are returned into court, as well as in all other cases when the moneys of which an account has been rendered into court, or monies other than the proceeds of immoveables are to be distributed, and insolvency of the debtor is alleged, the distribution of the monies cannot take place until his creditors generally have been called in."

Now, the following articles viz:—834, 797, 798, 727, 602, 603 and 604 complete the whole procedure in this respect. It is said that the great difficulty in the other provinces of the Dominion lies in the fact that the first creditor who gets a judgment takes the estate, and there is nothing left for the other creditors. Though I see great injustice in that, I think it is better than the existing condition of affairs, be-

cause under the operation of the Bankruptcy Act hardly any of the creditors get anything—the official assignees and costs of liquidation absorb almost all. I think it would be some consolation to the creditors to know that one of them at all events is paid. Article 1981 of the code of Quebec already quoted provides in three lines a very simple remedy. I know this is not the stage of the Bill when such an amendment should be proposed, and I only mention it now to show how unwise it would be, when a remedy can be supplied so readily, to reject the Bill It has never been considered a sound principle that insolvent laws should be perpetual. They have always been intended to exist for short periods. This principle is laid down in the Statutes of 1869. Hon. gentlemen will recollect that an insolvent law was passed in Canada in 1864. It was largely amended by the law of 1869 In the latter year, as far as I could ascertain, there was a very strong feeling throughout the Dominion for the repeal of the insolvent law. Still, the House thought it better to amend it, and I find the following in the 155th clause, corrected according to the English version of the Act :—

"This Act shall be called and known as the Insolvent Act of 1869, and shall come into force and take effect on and after the first day of September next, and shall cease to have effect at the end of four years thereafter, save as regards proceedings then in progress."

I have in my hand the Journals of the Senate for 1869, in which I find most of the names of the hon. gentlemen who are now present ; and I see that this provision was adopted unanimously by the Senate on that occasion. The principle to which I have alluded, that insolvency laws shall not be perpetual, is recognized in all countries, with very few exceptions. They are temporary enactments to suit the abnormal circumstances of a country from time time, something like the suspension of the *habeas corpus*, for instance. I ask the House if the law, as it exists, is fair or just to all classes of the community. Is it not a fact, that it discriminates between different classes of the population of Canada. Is it not a fact, for instance, that a farmer or a mechanic, who may be involved in debt, can get no relief, and is obliged to struggle on, from year to year, to pay off his indebtedness, while the merchant has the privilege of being relieved under certain circumstances of all his liabilities. My hon. friend, from Rigaud, said that the effect of repealing this Act would be to drive many worthy citizens out of the country.

Hon. Mr. THIBAUDEAU—I did not say that, although I believe it will have that effect.

Hon. Mr. SMITH—I said so.

Hon. Mr. TRUDEL—Our experience is that the classes who have not the protection of insolvency laws do not leave the country any more than the others when they fail to meet their engagements, and I have no doubt that the mercantile community will remain with us whether we have such legislation or not. I would ask the hon. gentleman if the existence of an insolvent act does not offer inducements to enter business without capital or experience, because they know in advance that if they succeed they will make a fortune, while if they fail the law will protect them, and they will be relieved of their liabilities? I repeat that I do not think that an insolvent law should be considered as part of the normal legislation of the country. The people of the city where I live and of the Province of Quebec at large, are in favor of the repeal of this law. We are satisfied that it has been the main cause of the numerous failures which have occurred of late years. It offers not only an inducement to men to become insolvent, but by its operation it forces others into insolvency. There is a host of assignees and their employees who are working against merchants to try and force them into insolvency. An incident happened not long ago which came under my notice, and which may serve as an illustration of what I say. There was a manufacturer in Montreal who had not a cent of debt matured. He had a few hundred dollars in notes in the banks, which had not fallen due. Unfortunately he had given accommodation notes to a large trader, and hearing one day on the street that this merchant was in trouble, he said "I am ruined if he fails, because I have given him a large amount of accommodation paper." A clerk in an assignee's office heard the remark, and immediate search was made in the banks to ascertain what notes of the manu-

facturer had gone to protest. One would fall due in twelve days and another in more than a month afterwards. Those notes were paid up by a party who, being in possession of them, made an affidavit that the manufacturer had declared on the street that he was likely to go into insolvency, and notwithstanding his struggles to resist being forced into the Bankrupt Court, his estate was put into liquidation. He resisted as long as he could, but he found that his credit was gone, after a writ was taken against him; moreover he was induced to yield, in order to be relieved of the responsibility of his accommodation notes, and his estate was liquidated by the very assignee who had put him into insolvency. It is within my personal knowledge that incidents of this kind occur by dozens. In fact in the great cities of the Dominion the assignees are continually looking about to find men who are in trouble, whether temporarily or not and endeavoring to put them into insolvency, when if there were not such an Act as this on the Statute Book, they would meet all their engagements. Now are we going to allow this state of things to continue? I know that my hon. friend from Rigaud spoke with great authority on this subject, because he is a leading merchant in Montreal and Quebec. His firm is a very extensive one and he is well informed on the subject but I am afraid that he has been induced to take this course from tenderness of heart. Everybody knows that he is considered in Montreal to be the father not only of one assignee but of four or five—that he secured their appointment.

Hon. Mr. THIBAUDEAU—I hope the hon. gentleman does not consider that I am the parent of the sixty or seventy assignees who have been appointed by the present Government in Montreal.

Hon. Mr. TRUDEL—I speak of four or five of the assignees appointed by the late Government. Many of the assignees appointed under the late Administration have succeeded in making large fortunes. During the last four years they have invested tens of thousands of dollars in real estate and otherwise, and it is hardly credible what an amount of money they have made out of their positions. This will serve to show the interest which the official assignees have in maintaining the present law, and some of their friends—those who were instrumental in having them appointed—may be unconsciously inclined to maintain the present state of affairs. Of course I do not say that my hon. friend is influenced by those reasons solely, but I think that they have had some effect upon him. In all the leading cities there are officers who are paid by the Crown, whose duties were, before the insolvent law was enacted, to liquidate the estates of insolvents. I refer to the sheriffs. They have large offices and many clerks, and what have they to do now? Almost nothing since this law came into force; still they are paid by the Crown.

Hon. Mr. CAMPBELL—The sheriffs are not paid salaries.

Hon. Mr. TRUDEL—They are in the Province of Quebec. I speak of those of the large districts.

Hon. Mr. CAMPBELL—Not in Ontario.

Hon. Mr. TRUDEL—The sheriff receives a writ and executes it, but an assignment is made in the interval before the sale. This sale is stopped, and two or three months afterwards the assignee sells the goods, and both the sheriff and the assignee are paid. In other words, double fees are paid in those provinces where the sheriffs are not paid by the Government, and all this comes out of the estate of the insolvent. In the province where the sheriff is paid by the Government, the assignee receives pay from the estate of the insolvent for doing work that should be done by the salaried official. Hundreds of thousands of dollars have been expended in this way, which might have been saved to the creditors, if the liquidation of estates had taken place under the laws of Quebec. This Act sometimes gives to assignees, who have not the slightest knowledge of law, jurisdiction almost equal to that of a judge. It is true that there is an appeal from the decision of the assignee, but that entails an immense cost. Lawyers are called to argue the case before the assignee, from that they appeal to the Superior Court, from that to the Court of Review, and from the Court of Review to the

Supreme Court. My hon. friend from Rigaud says that if we have no bankruptcy law we will have appeals from one court to another, but I have shown that we have them under the present state of affairs. I dare say that one-third of the cases pending this moment in the Court of Appeals, in the Province of Quebec, are from the Insolvent Court.

Hon. Mr. THIBEADEAU—During these appeals the insolvent estate is in the hands of a guardian. If we had not the Insolvency Act, it would be in the hands of the insolvent himself. There is a great difference, as you will perceive.

Hon. Mr. TRUDEL—If we had no bankruptcy law the estate would be in the hands of an officer, who in our province is paid by the Crown. It is true that he appoints a guardian to whom he pays a dollar a day, but this guardian is responsible to him, and he is responsible for the estate. He is an officer from whom the Government requires high security. With respect to the position of creditors, they are not obliged to take proceedings in court, when no attempt is made to defraud them, and then there is no necessity for calling in the services of the Sheriff, but if you require the interference of an officer you have one who, unlike the present assignees, is not interested in multiplying proceedings, because his fees are fixed by the law, and whatever may be the value of bankrupt estates in liquidation, he receives nothing more. It is apparent that under existing circumstances the assignee is interested in creating as many cases of insolvency as possible. Any one who will open his eyes can perceive the assignees running about from morning till night to find some way to induce or force men into insolvency in order that they may get their estates to liquidate. That is their great object. Of course, all the assignees do not act in this way; there are honorable exceptions, but I speak of the general operation of the law In closing my remarks, I will say the fact that this law does not work well is recognized by every body, and, therefore, it should be repealed. Consequently the principle of this Bill is admitted by all, and the second reading should be allowed. If hon. members of this House should choose to make some temporary provision they might adopt the suggestion which I have made. I do not think, after the large majority in the other House who have pronounced in favor of repealing the present law, that we should decide to retain it, and offer inducements to frauds, such as have been disclosed during the last two or three years, as the direct result of the operation of this Act.

Hon. Mr. KAULBACH—I claim the indulgence of this House to say a few words on this matter. I was in hopes, from the expressions used by a member of the Government, and by the hon. gentleman on my right, (Mr. Smith), that we had made a new departure and commenced a new era of prosperity in this country; and that many of the ills from which we suffer—among them bankruptcy—would be dissipated. If my hon. friend's convictions are true that we are on the eve of that prosperity, I contend there is no occasion for a bankruptcy law at all. I believe that much of the bad state of business is attributable to it; that the sober thought of the country feels that this law should not be perpetual; that it was never so intended; and that it should only be adopted under extraordinary circumstances and an abnormal condition of trade. Now, as regards the Bill before the House, we must consider that it has come up from a body of men who are fresh from the people, fresh from their business transactions with the country, and are well qualified to deal with this or any other question affecting the public interests of the Dominion with wisdom and discretion. I do not believe that we can find representative men from the various pursuits of life who could better reflect or have better reflected the feelings and opinions of the people than the present House of Commons. This is no party measure. We find men of both sides of politics, just as capable of dealing with this question as prejudiced bankers and prejudiced wholesale importers, declaring that this law which has wrought so much evil to the country should be repealed. They have declared, after painful experience, after a long agitation, after the people have arrived at the deliberate conclusion, not only in one province, but in every province of the Dominion, that this law has been and is a curse to our country, and should never

have been placed on our Statute Books. We scarcely heard of bankruptcy in Nova Scotia until we had the Insolvent Act. Then the wholesale importers sent their agents and runners amongst us and forced their goods upon our traders, until they have destroyed the credit and prosperity of our people. Until we had these runners coming down amongst us, the traders of Halifax and of this province were solvent and we seldom heard of a preferential assignment, or of a man who could not pay his debts. Merchants were prosperous; the banks were paying fair dividends, and nothing was heard of insolvency or complications in trade until we were brought face to face with the evils of an insolvency act. We have in the hands of some hon. gentlemen here to-day petitions from Halifax, Pictou, and from different parts of the country, asking for a repeal of the Insolvent Act. Even from Montreal we have the petition of the Council of the Board of Trade, asking for the repeal of this Act, and approving of the Bill before the House, while expressing regret that some simple provisions had not been made with respect to preferential assignments, to give creditors prompt control of the assets of insolvents, and to ensure their distribution *pro rata* among all creditors. My hon. friend on my right has stated that this is a matter purely for, and affects only, bankers, importers, and capitalists.

Hon. Mr. SMITH—I did not say so.

Hon. Mr. KAULBACH—I took my hon. friend's words down at the time. He led the House to understand that no others could be affected by this Bill, and that, therefore, we should not be governed by any other influences. I contend, however, that the destruction of our trade has been caused by over importation of goods by the wholesale merchants, chiefly in Montreal, who have forced them on the small traders over the Dominion, and the high rates of interest that have been charged by the banking institutions, so that their opinions should not receive that consideration they would be entitled to if they were less partial than they are. For my part, I do not believe that they are the only parties that are concerned in the passage of this Bill. I believe the whole country is interested, and the great body of the people have declared that it is time the Insolvent Act should be repealed. I believe that our policy is to have Canada for the Canadians and those who come to live with us; that we should encourage our own manufacturers and our own mechanics and farmers, who should have the home market for their products, and that we should not legislate in this matter merely for the importers. Personally, they are respectable men, but, on the other hand, they are not the real bone and sinew of the Dominion. They are not the men who add to the wealth of the country, and we should not, therefore, consider their interests as against the interests of the people. They import large quantities of foreign goods into the country; they have forced them upon some men who have started business with very little money and very little capacity for trade, but with some sharpness combined with a minimum of honesty, and by that means we find that, in every part of the country, the inhabitants have been encouraged to purchase on credit and live extravagantly. The result has been debt and litigation, and there has been a rush between the lawyers and assignees to see who should get the first chance, while the farmers, the fishermen and the mechanics have all been imposed upon and most injuriously affected. Should we now be asked to continue such a law upon our Statute Book after all the injury that it has produced in the country? The very fact stated by my hon. friend from Prince Edward Island yesterday, that within the last three months there were $11,000,000 of fyled claims in bankruptcy compared with $7,000,000 for the same period of last year, proves that the end of fraudulent bankruptcy has not been reached. The representatives of the people, speaking for the people, have resolved upon the abolition of this law. We find the wholesale merchants driving traders into premature insolvency, trying to get their money, and petty dealers voluntarily going into insolvency in order to get rid of their honest debts before this law is wiped from off the Statute Book. Between the wholesale trader who is anxious to get his money, and the dishonest trader who is anxious to get rid of his debts, nothing but bankruptcy and ruin await this country unless this law is instantly repealed. Even our banks have suffered

from this Act by advancing money to traders at high rates of interest and having to accept small dividends from insolvent debtors. Under this law the banks prospered for a time, and stocks rose in the market. But their excessive rates of interest consumed in bad debts charged against capital, and capital and deposits replaced by worthless assets, caused by the bankrupt condition of the country, created an abnormal increase of trade, and the reaction has injuriously affected the banks and all who are interested in them. The time may not be far distant when the Legislature will have to consider whether it is not necessary in the interest of the people and of our manufacturers, that we should have cheaper money on a true national basis. My hon. friend, (Mr. Smith), has referred to preferential assignments as creating jealousy and as being injurious to trade. I agree with him that such is the case, but I do not think such assignments are often made, because the man who once cheats his creditors in that way becomes known, and his credit is ruined, so that he has to go out of trade. That very fact will prevent men from making preferential assignments, and when there is no bankrupt law such traders will struggle hard to meet their obligations, as there would be then no premium for dishonesty. An hon. gentleman, (Mr. Smith), thinks notice should be given before the Act is repealed; that it should not be done too suddenly; that if this Bill is carried, the first execution that will be put into the hands of the sheriff will wipe the trader out; in that way a great many will be wound up. If that is the state of affairs with traders, I think the sooner their business is wound up the better for all concerned, when it is not being run on honest principles and a sound financial basis. The hon. gentleman from De Salaberry fairly meets the objections raised to the repeal of this law, especially the one that the creditor would have no protection. I do not know much about the Quebec code, but I presume he is correct, that they have reasonable laws by which judgment can be obtained, executions issued, and debts collected, as in other provinces. They have some kind of a garnishee law by which they can attach moneys due to a debtor in other parties hands. The Province of Quebec has the advantage over Nova Scotia in this respect, that the property levied on remains in the Sheriff's hands to meet all claims equally. Yet the people of Nova Scotia are in favor of the repeal of the Insolvent Act. The hon. gentleman from Montreal has advanced a very good reason why this Bill should pass, when he said a bankruptcy law should not be a permanent law, but should only enacted in an emergency, in times of very great commercial depression. He says the hard times have been pretty well exhausted; if that is the case, I say there is no necessity for this law. My hon. friend opposite, (Mr. Howlan), has suggested that the merchants could buy up the bankrupt stocks themselves and prevent the ruinous competition that prevails when insolvent estates are bought up on speculation and sold at reduced prices. But every merchant selects his stock to suit his own trade, and he generally has all the stock he can carry, and meet his paper as it matures. The hon. gentleman might as well argue that when this country was made a slaughter market for American manufactures, all that our merchants and manufacturers had to do, was to buy up those slaughtered stocks, and prevent them from getting into the hands of traders at slaughter prices. It shows that the hon. gentleman's case was a bad one, and that his premises were worse. I believe that our insolvent law has been a premium for fraud and a temptation to dishonesty. I do not believe that we should go back to the old Roman law, which kept a debtor and his family in perpetual bondage; on the other hand I believe we have gone to the other extreme, and have made the creditor a slave to his debtor. If a creditor demands payment of a debt now, the debtor threatens him. If he puts him into insolvency, he finds after he gets through all the operations of the Insolvent Act, that the lawyers and assignees have pretty well absorbed the estate. I feel very strongly on this question, and I believe if we allow this law to remain another year on the Statute Book, it will result in great injury to the country. I am sorry that the Government have not taken this matter in hand themselves, and I regret to see that the influence of the importers and the banking institutions of Montreal is being brought

to bear to defeat this Bill, in the face of the pronounced opinions of the people to the contrary.

Hon. Mr. SMITH—As great stress has been put upon the few remarks that I made yesterday, I wish to make an explanation. What I intended to convey to the House is this: That the great number of the members in the other Chamber were new members, young men without Parliamentary experience, and therefore not inclined to consider matters which deeply affect the welfare of the country, with the same calmness and deliberation, as members who had served in Parliament for many years. I did not wish to cast any reflection on the young members of the Lower House, as some hon. gentlemen have insinuated. Far from it; I simply state that when a member first comes to Parliament he wishes to have something to show when he returns to his constituents, and for that reason he is apt to be more hasty in his judgment, and to act with less caution and deliberation, than he would do after years of parliamentary experience. If this Bill is passed and the Insolvent Act is repealed, four months must elapse before a man who sues a debtor can get judgment, during which time he has ample opportunity to make away with the property of the creditor. Since this question has come up in Parliament the Board of Trade of Toronto has met and passed a unanimous resolution in favor of retaining the Insolvent Act. My hon. friend on my right, (Mr. Kaulbach), has referred to merchants and importers as being a class who were not beneficial to the country; but in my opinion they are as good a class of people and as beneficial to the country, as the profession of which my hon. friend is a member—I don't know whether I should say, a worthy member or not. The insolvency question seems now to be a matter between the official assignees, the sheriffs and the lawyers. Of the three evils I prefer the official assignee until we can shape a law that will be beneficial to the country. At present the parties most interested are the lawyers.

Hon. Mr. FLINT—I should not have said a word upon this subject were it not that I had in the first place, after the Bill passed through the Commons, come to the conclusion that it was my duty to vote for it in this House. But after carefully considering the question and looking at the pros and cons of the case, and seeing the course that will be adopted with reference to insolvency in Ontario if the present law is done away with, I feel it to be my duty to vote against the Bill unless some amendments are made to it so that estates may be wound up without putting them into the hands of sheriffs and lawyers. I do not believe that honest men, who have struggled through the long period of depression which has been hanging over us, should now be sacrificed, when there is a prospect of better times. Business men are still constantly going to the wall, and they will continue to do so until better times arrive. We have only to look at this city. Two years ago you would hardly see such a thing as a bankrupt stock offered for sale; last year bankrupt stocks were more plentiful, and now if you pass down the street you will find that every second store offers bankrupt stock for sale. These stocks have been sold *en bloc* to speculators at fifty per cent below first cost, and the consequence is the honest trader who is struggling hard to maintain his family and pay his debts, is obliged to go to the wall owing to the unfair competition. I will give you a little incident to show how this bankruptcy law operates. Last evening I went out to buy a few pocket handkerchiefs. I entered one store, and a friend who was with me went into another store alongside to price some. In the one the price asked was three dollars per dozen, and in the other they asked only a dollar and twenty cents for the same class of goods. The latter were bankrupt stock and could never have been bought wholesale for the price at which they were being sold. This same thing applies to all other articles of trade, and you will find throughout Ontario that honest traders are in such a position they cannot stand against this unfair competition from bankrupt stocks. There ought to be something done to remedy this evil, but would we be in a better position provided the present law were repealed tomorrow?

Hon. gentleman—Yes.

Hon. Mr. FLINT—No, those persons who are in difficulties will fall into

the hands of sheriffs and lawyers, and property will be sacrificed in the same way that it is at the present time. It is true that under the present law the assignee gets the larger share. It is the old story of the monkey, the cats, and the cheese: the assignee takes the estate, the creditor gets nothing, and the debtor goes to the wall. I have no doubt Ontario lawyers are anxious that this Bill shall pass, as it will bring grist to their mill. My hon. friend from Lunenburg gives a fair example of that when he says if the trader cannot stand, let him go to the wall, the sooner the better. I believe the bankruptcy law is a curse to the country, but on the other hand it would be a greater curse to repeal it and leave the unfortunate debtor in the hands of the lawyers and the sheriff.

Hon. Mr. McLELLAN said the returns shewed, that the lawyers got two-thirds more of the costs than the assignees under the present law.

Hon. Mr. SIMPSON—It is not my intention, hon. gentlemen, to make very lengthened remarks on the Bill before us. Still, I do not wish to give a silent vote on the question. When this Act of 1875 was before the House, I took the liberty of characterizing it as a Bill to cheat or defraud honest men and whitewash knaves. I have watched the effect of that Act closely for four years, and now having seen the effects of its operation, I have no reason, as a banker, to change the views I then expressed. My impression is that the loss of money the country has sustained in consequence of the Act being on the Statute book, is not the greatest loss. I look upon it that the country is thoroughly demoralized by it. Our commercial status was as high as that of any other country in the world twenty years ago. Now, men go into business who have neither capital nor experience to justify them in doing so. Yes, men undertake commercial enterprises without experience, capital or capacity for business I remember when I could go to New York, a stranger almost, and purchase any quantity of goods I chose, simply because I was a Canadian merchant. Our credit was then of the very best; but if you go to New York now you find a great deal more trouble taken to find out your standing in business and your character and references.

Hon. Mr. SMITH—Our commercial status is most excellent now.

Hon. Mr. SIMPSON—Last year we had failures to the extent of about $50,000,000. I took some pains to ascertain what amount was paid on the dollar by the insolvents, and I find, on making careful inquiries, and consulting gentlemen better posted than myself, that about 10 per cent. was paid on that $50,000,000. Will any hon. gentleman tell me that the $45,000,000 that was not paid was sunk either by bad speculation or by shrinkage of value of property? I believe that a large amount of it remains in the hands of the debtors. I have lost enough personally, and the Bank with which I am connected, has lost enough during the last three or four years to make me feel pretty strongly on this subject. I have heard a good deal said about the lawyers and their wish to have this Bill pass. While I am not very fond of them, and I have not much to complain of in that respect—still I do not believe that they will gain by the passing of this Bill. The Bank with which I am connected had a case in court which was reported in the newspapers yesterday. It arose out of one of those assignments, and the Bank was interested in it to some extent. The case was compromised, and a decision based on the compromise was given by the Chancellor, and what did the lawyers get out of that case? We paid $4,000, and the other side will have to pay as much if not more. My impression is that if you will converse with our best lawyers, they will tell you that they do not want the Act of 1875 repealed. They can make more out of it. I think in short the lawyers, as a whole, do not want the Act repealed. Petitions have been presented by the hon. Senator from Montreal, (Mr. Ryan), from the bankers of that city, against the repeal of the Insolvent Act, but they do not object to repeal if a short bill to prevent preferential assignments, and snap judgments, will be passed, but I also have had the views of the bankers on this subject and they would desire to have the law repealed, and a short bill introduced to prevent preferential assignments. I intend

to vote for the repeal of the law for the purpose of seeing if we cannot get down to "hard pan," and learn where the country stands. When I heard the hon. Senator from Amherst speaking yesterday, I thought I would rise and say "ditto." To fortify myself, I wrote to our Board in Toronto, the gentlemen comprising which are second to none in Canada in commercial experience and ability. The President is ex-Governor Howland, perhaps as shrewd and prudent a man as we have in the Dominion. Colonel Gzowski, Vice-President, Governor Macdonald, Mr. McKay of Montreal, Mr. Smith, (not the hon. Senator from Toronto) comprise the members of the Board of Directors. I am informed that they are unanimous in desiring a repeal of the Insolvent Act.

Hon. Gentleman—Hear, hear.

Hon. Mr. MACPHERSON—Few persons engaged in business are satified with the present Insolvent Act, but the question is whether it is best to keep it on the Statute book until it can be amended or repeal it. I think that the opinion of those who have most to do with insolvent estates is that it should either be amended or allowed to remain on the Statute Book. I believe myself that it has led to what is called commercial demoralization to some extent, but I question whether we would not have more demoralization without it than with it. If we had, throughout the Dominion laws such as they have in the Province of Quebec, providing for an equitable distribution of insolvent estates, I should be disposed to vote for its repeal; but, inasmuch as we have no such law in the other provinces, and no means of protecting merchants from the consequences of preferential assignments and judgments, I think that it would be an unwise and dangerous step to repeal the Act. In my opinion, the course pursued in another place has been exceedingly hasty, and I think this is just one of those cases where the Senate can interpose with very great propriety and advantage. I have been surprised to hear some hon. gentlemen in this House who usually assert great independence of another place, speak in the way they have done of not rejecting this Bill, because it was carried by so large a majority in the other branch of the Legislature. I think that it is not our duty—on the contrary, it is our duty not to consider what the majority may have been there. Our duty is to consider the effect of the Bill which is before us, and not to be influenced by the division list in another place. I think that a good deal of evil is attributed to the Insolvent Act which does not fairly belong to it. We regard it as the cause, when really the result is the consequence of other causes. The depression, the heavy losses, and the dissatisfaction that have been experienced under the Insolvent Act are not due to that Act or to its administration, (which I believe is very bad), but to the fall in values of general merchandise. I believe that the average decline in values during the past three or four years has been at least one-third or 33⅓ per cent.; and if merchants with small capital lose one-third of it by depreciation in value, you can easily imagine what the consequences must be. I think that a good deal of the evil complained of is due to this, rather than to the administration of the Insolvent Act, or even the principle of it. Another motive that will influence me in voting against the Bill which is before us is, that if we do repeal the Act, I fear that we shall not have a better Act, or any Act at all, on the Statute books, for many years to come. I think it is obvious from what we know of the spirit prevailing in another place, that there would be no disposition next session to pass or even to entertain an insolvent law, and that the surest way of having the present law amended and perfected is to keep it on the Statute book at present. I believe that we are more likely to have a satisfactory law in that way than by repealing the existing Act. I am not disposed to allude to any class as being particularly interested in promoting the passing of this Bill. At the same time, it is remarkable that the lawyers, who are so noted for differing in opinion, are almost all in accord in their views on this particular question, and are all agreed to do their utmost to repeal the Insolvent Act. For the reason I have given, I shall vote against the Bill before the House.

Hon. Mr. READ—I have been some time in this country, and I think I have

seen two insolvent acts repealed. It has not been customary to keep such legislation on the Statute books for all time, and neither do I believe that it is for the interest of the country that it should be so. I was quite prepared to vote for such a law being placed on our Statute book in 1875. I supported it because I thought it was necessary, and I think now that the time has arrived when that law should be repealed, especially when we know that the matter has been before Parliament—that it was up last session, and that an attempt was made to repeal it. It was then thought it would be better to let it remain for a time, and that some amendment might be brought in this session. Now that subject was undoubtedly discussed at the polls; and the represesentatives of the people without regard to party, have come back to Parliament instructed by the electors to vote for the repeal of this measure. Are we to stand here and say to the people that we will not repeal that Act, because we happen to differ from them in opinion? Are we to stand directly in the people's way for years, because I understand the last speaker said, "if we repealed it, we could not have a new law for years?" I say no; we have a right to yield to the wishes of the people. I believe that the bankruptcy law has led to over trading, and that, if we repeal it, an honest man will have a chance; under the existing law he has little chance in competition with a dishonest man. I know men in business to-day who have been through the Bankrupt Court three times within a short period. These men get trusted, and how can an honest man trade alongside of such characters, and compete with them. The system is calculated to bring every merchant down to bankruptcy. As soon as ever a man has compounded with his creditors, he can get credit without difficulty, and sell his goods lower than his neighbors can. He can go on compounding from time to time, and can always get credit, because, having made some money, the merchants will trust him. The man who has paid for his goods, or means to pay for them, has no chance with such competition against him. It has been said that the repeal of this Act will lead to preferential assignments. Now, I do not think that that is at all probable. Let a man give a preferential assignment once, and he will fail to get credit again. I doubt whether the very man to whom he gives the preference will trust him, because he knows that a man who will do wrong once will repeat it if it is in his interest to do so. The result of the repeal of this law will be that the honest man will get credit, and the dishonest man will not. The honest man need not let a preferential judgment be taken against him. He can call his creditors together, and say "I will make an assignment for the benefit of my creditors." Such a merchant will be trusted. But the man who allows a preferential judgment to be taken against him once will not have an opportunity of repeating it. If the law is repealed, preferential assignments will be possible for only a few months, because the local legislatures can pass laws to prevent such assignments. I shall therefore vote for the Bill.

Hon. Mr. HOPE—A good deal of misapprehension exists throughout the country as to the nature and operation of the Insolvent Law, and in order to place clearly before this hon. House the foundation upon which the whole superstructure of an Insolvent Law rests, I would merely state that when an individual owes to his creditors more money than his assets will realize, he is considered an insolvent, and, in point of fact, has ceased to have any pecuniary interest in his estate, which of course now belongs to his creditors. Now, under such circumstances what is a person to do? Is he to wait for snap judgments to be got against him? Is he to give a preference to this one or that one in one way or another, or what is he to do? Under the Insolvent Act his duty is clear and distinct, and that is to call his creditors together and make a statement of his affairs, and when they see how he stands, it is for them to say whetber he shall go on or whether proceedings in insolvency shall be taken. If they decide upon insolvency, then notice is served. He makes an assignment and his estate goes into the hands of the official assignee, who makes an inventory of his property. He calls a meeting of the creditors, and they assemble and decide upon the course of action to be taken. The first thing they have to do is to elect an assignee, as it does not follow that the official assignee is to be the creditor's assignee. The creditors choose the most

competent man they can get to administer the estate. The official assignee is an indispensible officer of the court. That fact we ought to recognize. He has a very important duty to perform. He gives ample security for his dealings with the estate, and he hands it over, at the request of the creditors, to whatever assignee they may appoint. And in whose hands should the appointment of the creditor's assignee rest if not in the hands of the creditors? It has been said here, that creditors are not fit to manage their own affairs, and that the estate should be handed over to an officer of the court, who, in Ontario, would be some bailiff. That the estate should be wound up by a bailiff, irrespective of his competency in the judgment of the creditors, was a proposition wholly inadmissable. If the creditors appoint an intelligent, honest, and capable assignee, he will render a good account of the estate, so far as its actual position will allow. After the meeting of creditors, and the appointment of an assignee, the next question is how is the estate to be disposed of? Is it to be wound up, or will a deed of composition and a discharge be agreed upon? If the debtor is prepared to make an offer for the estate—if he has friends, and if they are prepared to assist him to get back the estate, and willing to guarantee all or a portion of the payments—and if the offer is considered a fair and reasonable one, then the creditors may accept it. Now is there any thing immoral in that? The creditors are dealing with their own property, and why should Parliament prevent them dealing with such an estate in the most advantageous manner, in their opinion, to all concerned. If, however, anything like fraud or improper conduct on the part of the debtor is observed, he does not get the estate—it goes into liquidation, and is wound up by the assignee for the benefit of the creditors, and the debtor looks for his discharge under the provisions of the Act. If his dealings with his creditors are chargeable with fraud, he may be prosecuted, and, if found guilty, may be punished with imprisonment, which was done recently in the case of a fraudulent insolvent in the county of Bruce, who got twelve months in jail. These are the ordinary proceedings which are taken under the Insolvent Act, and I cannot see what improvement you can make upon it, except in some minor details. If Parliament, at some future session, should see fit to make any improvements that would facilitate the working of this Act, of course they would be cordially received by all interested. Then comes the oft repeated question: how comes it that we have so many cases of insolvency at the present moment? In a great measure they arise from the depressed condition of trade, and from the loose manner in which the credit business of the country is conducted. The wholesale business was confined chiefly to Montreal some 30 years ago, and when a trader went to buy goods on credit, he was ushered into the presence of the business manager of the house, who decided whether he was to have goods or not. If anyone but the head of the house had ventured to give credit to a new customer it would have been as much as his place was worth, but all this is changed now. We have hundreds of commercial travellers running all over the country, and, in too many cases, opening accounts almost indiscriminately, and sometimes merchants are not as careful in scrutinizing the accounts opened by their travellers as they should be, and as a consequence insolvencies occur. To say that it is because there are official assignees is perfectly absurd. The fault lies with those who furnish the credit. It is a voluntary thing entirely on their part, and, if they make a bad speculation, they have their own carelessness to thank for it. Some advocate the idea of reverting to the old system, but this comes chiefly from people who were not in the wholesale business before 1857. We all know how wretched matters were at that time; we all remember how debtors absconded to the other side of the lines, and negotiated from there with their creditors, almost dictating their own terms. We all know now how much better it would have been if we had had an insolvent law, and could have dealt fairly with these peeple. I have strong objections to return to the former system. It was the cause of heart burnings and bitterness among merchants—the estates were sacrificed by snap judgments or otherwise, and first come first served was the order of the day. As for the assignee, if the creditors will only see to appointing a proper person, and also a competent paid inspector, the In-

solvent Act can be worked with advantage to all interested. I am told that a great many of our rural friends desire its repeal. I cannot understand what they have to do with it—it does not affect them—they do not come within the scope of its operation, and it is fortunate for them that they do not, and I hope that they never will. It has been suggested to include both them and traders within the purview of the Act, but I would entreat the agricultural classes to resist such proposed legislation. The farmers have nothing to do with commercial risks, as they sell. or should sell, all they raise for cash, and a safer or better class of men than the farmers of Ontario to sell to—and I suppose hon. gentlemen can speak for their own provinces—and a class more entitled to credit, does not exist on the face of the earth. I speak from an actual experience of over thirty years. I have some times heard merchants express disapprobation of the Insolvent Act, and what is it they object to? They tell us they have lost money in some way or other, through dishonest traders, but when you investigate the matter, it turns out, perhaps, in nearly all cases, it was through carelessness on their own part in the selection of their customers. I would venture to suggest to such parties that they should say nothing about it, because it only exposes their own carelessness, or want of sagacity, and there are sharp people looking about to take advantage of such weakness, and they are likely to be made the victims of designing people. As for the much talked about lawyers, I have nothing to say against them. They are necessary in all civilized communities, but there is no doubt of this: if the insolvent act was repealed to-morrow, it would prove a great advantage to them—I do not say it would be to the leading men of the profession, because they will command a lucrative practice under any circumstances; but there is a class of lawyers, especially in country places, to whom it is rather annoying, when the assignees sweep away what they may naturally look upon as their peculiar business. The intervention of a lawyer in many insolvent cases is scarcely required. I have heard lawyers of good standing remark that they would like to see the repeal of the insolvent law, because it would increase their business, but that if the mercantile class were wise, they would resist its repeal. There is another class who oppose the insolvent law, and it is those who have been for years doing a retail cash business to farmers prior to 1857, and who rarely or ever made a bad debt; they have grown rich, and extended their business, so that they have commercial travellers all through the Dominion, selling to people they never saw, and they are astonished that they make bad debts. I say to such people: "why don't you sell your own goods, and not trust to commercial travellers." They say: "Oh, we cannot do it, our establishments are too large," but the fact is as I have stated it. We are told here that we should repeal this Insolvent Act because the United States have repealed theirs. Now, I saw that Bill when it was in force, and I never was more astonished in my life, that a shrewd people like our neighbors should have consented to put such a crude, ill-digested measure on their Statute books. I am astonished they ever enacted it. They had all manner of officials connected with the administration of that law, and there was a chance apparently for everybody but the creditors. We have been told about the equitable laws they have in Lower Canada—that there is an admirable system of equity jurisdiction there. I believe that they can sue there, and get judgment within an average of four months, but in the meantime what is done with the estate? As a rule there is nothing left for the creditors when judgment is obtained—all the book-debts are converted into notes of hand, and the debtor carries them off or endows his wife out of them, and the sheriff has no means of making such a debtor disgorge. True, if the sheriff makes a pittance out of the goods on the execution, the amount, less costs, is divided rateably among all the creditors with a flourish of trumpets. I am told that it is a system that would work well in Ontario, but, for my part, I look upon it as utterly defective and unsuited to the commercial requirements of that Province. The hon. Senator from De Lanaudiere, (Mr. Bellerose), said that the rural parts of the country were most interested in the repeal of this Act. I can understand that gentlemen engaged in the legal profession would have a chance to do more business in their peculiar line if it were repealed, but I can see no other

reason for it. The hon. Senator from Amherst said, in the course of his remarks, that we had no perfect understanding of the law. I can only say this, that the present act is pretty well understood by commercial men who have given attention to it—it is well understood by the legal profession, and by the courts, and it is working with an intelligent adaptibility which is very satisfactory to those who are interested in it.

Hon. Mr. POWER — Two-thirds of the House of Commons think differently.

Hon. Mr. HOPE—I never heard that it was an issue at the last elections.

Hon. Mr. KAULBACH—It was everywhere.

Hon. Mr. HOPE—It may have been in the Maritime Provinces, but I never heard of it in Ontario in town or country.

Hon. Mr. SMITH—Not a word.

Hon. Mr. HOPE—The hon. gentleman says that it leads merchants to trust people who go into business, without being at all qualified for it, and that they are perfectly indifferent as to their success or failure. That is a serious reflection on the mercantile community. Am I to understand that people get credit who have neither capital nor standing. If the hon. gentleman has any such idea, he is entirely mistaken. To get credit, a man must show that he has some capital of his own, as otherwise merchants will not risk goods in his hands. As for friendly assignees, and friendly inspectors, in the interest of the debtor, exclusively, all that I have to say is, that I have never heard of such a thing. If any debtor expects he is to fall into the hands of a friendly assignee, he takes his creditors to be more simple than I have any experience of. Strongly deprecating any return to the old system, when we had no insolvency law, I earnestly call upon hon. gentlemen to vote for the amendment which is now before the House.

Hon. Mr. DICKEY—I think it is very much to be regretted that this matter could not have been discussed without making reflections upon gentlemen in another place. My hon. friend from Toronto, who made an explanation to-day, and followed it up by a speech, I fear has not made the matter much better by his explanation ; because he stated yesterday that this Bill was not passed by thinking men in the other Chamber. To-day he explains his meaning by saying that they are so young and inexperienced, they don't know what the public requirements are, and that they are not competent to pronounce on such a question as this. These reflections come unworthily from the hon. gentleman, as they would from any other member of this House, who would think it good taste to make them. Some hon. gentlemen have spoken of the haste of this legislation. My hon. friend from Saugeen emphasized it by saying that it was exceedingly hasty legislation. I venture to take issue ; I venture to say that no bill in my recollection has been so well considered as this. It was on the table of the other House for nearly three months —alas, to say — and the House, thinking it desirable to get the best possible Act, delegated the whole question to a Committee, second to very few Committees that have been empanelled in any body. That Committee was a month or more trying to improve this obnoxious Act of 1875, and then presented the result of their labors to the House. We are told that next session we shall get a better law, but owing to the inherent difficulty of the subject, it is only necessary to say that it was dealt with by some of the best minds in the other House without practical result. We all know that the House were not satisfied even with that Bill with its sweeping amendments, and the only alternative was to repeal the Act. There was, to be sure, a smaller majority against this amendment Act, but there was such a decided expression of opinion in the House, that it was followed by the passage of this repealing Bill by a two-thirds vote. If we are prepared to throw this Bill back on the House of Commons, we are throwing back a measure which has not been hastily passed, but was well considered, and we are asked to do so with the knowledge of the fact that the House, after nearly three months consideration, was not prepared to pass any amending Bill, but that they desire, and the country demanded, the total repeal of the Act. In

reply to my hon. friend from Hamilton, I will produce before I sit down an authority upon this point which I hope even he will respect. He has expressed very strong opinions on this subject, but has fought shy of the question how far it is becoming in us to present ourselves before the country in the attitude of antagonism to the overwhelming voice of the people and their representatives. My hon. friend from Toronto, (Mr. Smith), has taken very strong ground upon this point. and so has my hon. friend from Rigaud, (Mr. Thibaudeau), who is one of the youngest members of this House. The latter hon. gentleman has stated that the action of the people in his province was owing to misrepresentations—that they were misled—and my hon. friend from Toronto says that the people in the rural districts do not care anything at all about the law. I leave the hon. gentlemen to settle this difference between themselves. But they both agree in saying "we are interested." I am sorry indeed that either of my hon. friends have any personal interests to be affected, because if it were in my power to assist them in any way to recover their debts, or to get them out of the difficulties they are in from giving too much credit, I should be glad to do so. But this Bill is not in the interest of any individual. The question is, what is the best for the whole country? Both of my hon. friends agree in stating that if this Bill passes, it will produce wide-spread ruin over the face of the land. I think that the cry of "blue ruin," has been carried a little too far. My hon. friends are old enough to recollect when this country was in exactly the position that we would be in if we passed this Bill to-day. The bankruptcy Act is only ten years old, and the law of old Canada was only some five years older. Yet we are told that if we return to the position we were in fifteen years ago in Ontario and Quebec, and ten years ago in Nova Scotia and New Brunswick, the effect will be ruinous and disastrous. Hy hon. friend from Prince Edward Island, (Mr. Howlan), went so far as to say that it would drive commercial men out of business, and even out of the country. I tell my hon. friends they are going too far when they seek to influence the House by such exaggerated statements. My hon. friend from Bowmanville has so well put the case, not only as to the effect of the present law, but as to the experience of the past, that I can add very little to it. He speaks authoritatively as a practical man who has been a great many years in business, and is one of those bankers who are all supposed to be desirous of keeping the present law in force. Before we had an insolvent act, we enjoyed not only prosperous times, but a high character for commercial morality which, to a large extent, we have lost since, and I am glad to be confirmed in this by the hon. Senator from Saugeen, who says there is no doubt that this law has led to a great deal of immorality. My hon. friend from Belleville (Mr. Flint), goes so far as to say that he believes it is a curse to the country. His conversion must have been recent, because he admits that he had intended to vote for wiping it off the Statute book, and excuses his support of the Insolvent Act as the lesser of the two evils. My hon. friend from Prince Edward Island has gone a little further. He denies what has been said by other hon. gentlemen who have dealt frankly and fairly with the question, because they have admitted the evil, while he denies it. My hon. friend from Montreal, (Mr. Ryan), says that there are a great many defects in the law, but the hon. gentleman from Prince Edward Island says there is no defect, and denies that there is any demoralization resulting from its operation. Some hon. gentlemen have remarked that the opinion of the boards of trade should settle this question. Well, we have got a concentrated board of trade in Canada—the Dominion,—and I will just call the attention of the House to the opinion of that body. It has been truly urged that since the Insolvent Act of 1875, the feeling of this country has been gradually but steadily growing stronger in favor of repealing it, and I point to the discussions of the Dominion Board of Trade, representing the collective wisdom of all the great commercial centres of the country, and I find that, going back to 1877, there was a division on this question of the repeal of the insolvent law. Even then there was a desire for its repeal, and on that occasion the vote was two-thirds or three-fourths of the Board against the repeal. Another

discussion took place only last January. So rapid had been the progress of public opinion upon those who had sent their representatives from the different commercial centres, that are supposed to be utterly averse to repeal, that the question was only decided in the negative by the casting vote of the president. That is the strongest proof that I can give my hon. friend from Montreal, and to the hon. Senator from Rigaud, who rely upon the decisions of the Montreal Board of Trade: here is the Central Board of Trade equally divided on the question while some members stated at the meeting that if the vote had not been taken so late in the session, and there had been a full meeting, the resolution would have been carried. I am quite sure it was the deliberate judgment of a majority of that body that the law ought to be repealed, and that was so recent as last January. I promised to give my hon. friend from Hamilton an authority upon a point on which I have expressed a very decided opinion, that is, the undesirability of this House interfering with the well-understood wishes of the people as expressed through their representatives in another place on a matter that affects the whole people. I quote from a paper which will probably be an authority to him, and my hon. friend from Lambton.—the Toronto *Globe* of yesterday. I have a double object in quoting this authority: I desire not only to satisfy him and others as to the true ground to be taken in view of possible influences being brought to bear in this matter. After referring to the motion of the Minister of Justice for the three months hoist lost by a majority of fifty-two, the *Globe* goes on to say:—

"It is possible that Sir John may have enough influence with the Senate to cause Mr. Bechard's Bill to be thrown out, but it is not a desirable thing that the popular branch of the Legislature should be baulked by a nominative body in a matter of this kind."

I leave my hon. friend, the leader of this House, and the gentleman who is the controlling genius of that paper, to settle the matter between them. For my own part, I am unwilling to believe that the influence of the Government is to be used to baulk the popular will; I will not believe it until I see the result of the vote upon the amendment before the House. I will not believe that the hon. member to whom I have adverted just now (Mr. Brown), will join in trying to "baulk the popular wish" on a question of this kind. I leave the matter to be settled by these hon. gentlemen and their own consciences, and I conclude with a hope that they will not use their influence to "baulk the popular wish," inasmuch as this is a measure which deeply affects the interest of every man, woman and child in the Dominion.

Hon. Mr. WARK—The hon. member from Amherst has stated that every man, woman and child in the country is interested in this insolvent law. There are a great many laws on our Statute books in which every man, woman and child is interested, but I think he is entirely mistaken when he says this is one of the bills. I say that it is persons engaged in trade and banking that are interested in this law, and the great part of the men, women and children have no interest in it whatever. They do not care whether there is such a law on the Statute book or not. There is another remark which the hon. gentleman made—that it is "an obnoxious Act." I do not think that he should use such an expression. It may be defective, but looking at the standing of the men who prepared it, I do not think that any member has a right to use such an expression. This Act was framed in the first place by the Minister of Justice in the late Government. It was referred to a committee composed of the hon. Mr. Fournier, Sir John Macdonald, Hon. Messrs. Blake, Holton, Cameron, (Cardwell), and other leading members of the House of Commons. That was on the 26th of February, 1875. These gentlemen spent fifteen or sixteeen days, not in preparing a new Bill, but improving the Bill which had been prepared with great care by Mr. Fournier. Looking at the names of the eminent lawyers, statesmen, and experienced business men who formed that committee, I do not think that the result of their labors should be spoken of as "an obnoxious measure." I think that it is too strong language to apply to it. During the present session, Mr. Colby, a lawyer of great experience and ability, prepared a Bill which he thought would be an improvement upon the existing law. That Bill was referred to a committee and

carefully considered, but was finally rejected by the House of Commons.

Hon. Mr. DICKEY—Will the hon. gentleman be kind enough to tell the House how often that Act has been amended since it was passed four years ago, and how many clauses have been added to it?

Hon. Mr. WARK—Defects will be discovered in any Bill.

Hon. Mr. DICKEY—Does the hon. gentleman know that amendments to the extent of 61 sections have been added to it in the four years?

Hon. Mr. WARK—When we get an Insolvent Act once on our Statute book, I think it is better to endeavor to improve it than to sweep it away until every body has lost trace of it. I think that we should go on as they have done in England for years, I might say centuries, endeavoring to improve their insolvent laws instead of repealing them. The hon. gentleman says that the Dominion Board of Trade wish to have this Act repealed, but I ask them do they wish to have it repealed without substituting something for it—something by which a fair distribution of a debtors property could be made among his creditors! Whoever thought of such a thing, as leaving no protection whatever for the majority of the creditors? There is another point in relation to this which I have heard frequently referred to—that this Insolvent Act has been the means of extending credit. I see around me numbers of gentlemen, who have been extensively engaged in business, and I should like to hear any one of them say that he ever gave credit to a man with the expectation that he was going into insolvency. I also see around me presidents and directors of banks. Will any banker say that he ever discounted a note for a merchant with the expectation that that merchant would go into the bankrupt court? The very idea when a man comes to ask for credit of a wholesale merchant that a portion of the money will have to be collected through the Insolvent Court would be a strong reason for refusing credit, and it is the same with the bankers. The idea that a man will get credit when there are any fears that he is likely to go into insolvency is absurd. I do not believe that any man ever gave credit or received credit because the Insolvent Act has been in force. The hon. gentleman has referred to the action of the Government in this matter. I certainly think if ever a Government was neutral on a question, the present Administration is neutral on this one. They have not spoken a word upon this subject in this House at all. I was surprised when I observed in the other House, that when the Minister of Justice introduced the Bill, which had been prepared with so much care by the Committee, to see three of his colleagues sitting beside him without saying a word in support of it, and five of them absent from the House when the division took place. We have not heard an opinion from the Government in this House, and I should like to know from the leader of the Government here, whether he is disposed to let this Bill pass. This is a question which ought not to be treated with indifference, and I should like to know from the Receiver-General whether he thinks it would be better to retain this Act on the Statute book for another year, and then take up the question as a Government measure? I should like very much to hear his views on the subject.

Hon. Mr. BROWN—I am ready to confess, that I have never given a vote, in the many years I have been in Parliament, with greater hesitation than I do on this Bill. I have always been in favor of the bankruptcy law, because I think it is absolutely necessary in a new country where so many young men come among us, with little or no capital to push their fortunes, and in which so many new and bold enterprises have to be entered upon without the light of experience to guide their promoters. But, at the same time, no one can conceal from himself that of late, during the present extreme monetary pressure, evils have arisen in the practical working of the insolvency Act most deeply to be regretted, and that would seem to render a temporary suspension of the Act expedient. I do not think that these evils are fairly attributable to the Act itself. No doubt there are defects in the existing law, as doubtless there must be in any measure you can carry through this Parliament, from

the wide difference of opinion among us; but I have the conviction that the evils complained of have arisen more from the extreme stringency of the times than from defects in the Statute. For example, it must, I think, be admitted that in the towns and villages throughout the Dominion, either from pressure on the creditors themselves, or disregard of the duty of forbearance incumbent in such times, the power placed in the hands of creditors over the affairs of their debtors by the Insolvency Act, has been far too often used for the prompt collection of debts, rather than for its legitimate purpose, the winding up the estates of honest men who, by misfortune or incapacity have failed in business, or to protect the general interests of all creditors against the dishonest acts of unworthy men. How many cases have arisen in which one creditor has given notice in bankruptcy where the others were willing to give time; in which that very notice destroyed the trader's credit, marred all his efforts to overcome his difficulties, and sent his whole assets to be sold without regard to cost at a ruinous sacrifice. And how then is it with the storekeeper in the same business alongside of the bankrupt, with the same goods on his shelves, perhaps bought from the same importer or manufacturer? He cannot sell at auction prices and pay his debts — his customers naturally go for the time to the cheap shop—his sales decline—his creditors get alarmed—and soon his experience is the exact parallel of his neighbor's. Walk along the business streets of this city and abundant evidence of all this stares you in the face. But there is another view of this matter. We are told by men of great business experience; by lawyers of undoubted character having thorough knowledge of the working of the Act, and whose personal interests would be promoted by its repeal, and by the heads of our great monetary institutions; and by the Boards of Trade almost unanimously, that if the repeal Bill now before us is carried without any measure for the equal division of estates among all creditors taking its place, there will be from the hour it is passed to the moment of its going into operation, such a flood of applications to secure the benefit of the Act while the opportunity exists, as would carry ruin to thousands of our best citizens. We are told that the amount of property forced at once into the mrket for sale to the highest bidder would destroy the value of property of all kinds, and that without provision previously made for the just distribution of bankrupt estates among all creditors, evils almost equal to those claimed to arise under the insolvency law, would instantly spring up. I cannot deny that there is force in all this, and I cannot take the responsibility of voting for instant repeal in face of such dangers. But what must be thought of a Government who, with a knowledge of all the circumstances—with a knowledge that this question would come before us this session—with a full knowledge of the feeling among us in favour of repeal—cast aside its responsibility—refuses to have any policy in the matter, and pitches the whole subject over to a private member to handle as he likes? Why, even now, does not the Government appeal directly to their supporters to give them time for the preparation of a measure in lieu of the present Act, to withdraw the Bill before us on the promise that they will deal with the subject at the commencement of next session? The Government are directly responsible for the dilemma in which we are now placed, and for the consequences of what may follow they must bear the blame.

The House divided upon the amendment, which was carried by the following division:

CONTENTS.

Hon. Messrs.

Aikins,	McMaster,
Benson,	Macpherson,
Brown,	Montgomery,
Bull,	Muirhead,
Campbell,	Paquet,
Christie,	Penny,
Cornwall,	Reesor,
Dickson,	Ryan,
Fabre,	Seymour,
Flint,	Smith,
Grant,	Sutherland,
Hamilton, (Inkerman),	Thibaudeau,
Hamilton, (Kingston),	Vidal,
Haythorne,	Wark, and
Hope,	Wilmot (Speaker)—31.
Leonard,	

NON-CONTENTS.

Hon. Messrs.

Almon,	Dumouchel,
Archibald,	Girouard,
Armand,	Guevremont,
Baillargeon,	Haviland,
Bellerose,	Kaulbach,
Boucherville, de,	McClelan (Hopewell),
Botsford,	McLelan (Lond'nd'ry),
Bourinot,	Macdonald,
Bureau,	Pozer,
Chaffers,	Read,
Chapais,	Simpson,
Cormier,	Stevens, and
Dever,	Trudel—27.
Dickey,	

Hon. Mr. Power paired with Hon. Mr. Cochrane. Hon. Mr. Scott paired with Hon. Mr. Pelletier.

The motion as amended was agreed to.

At six o'clock the Speaker left the chair.

AFTER RECESS.

BILLS INTRODUCED.

The following Bills from the Commons were introduced and read the first time:—

Bill (9) "An Act to alter the duties of Customs and Excise."—(Hon. Mr. Campbell.)

Bill (110) "An Act respecting the salaries of the County Court Judges of Prince Edward Island."

BILLS OF EXCHANGE IN NOVA SCOTIA PROTEST BILL.

SECOND AND THIRD READINGS.

Hon. Mr. DICKEY moved the second reading of Bill (16) "An Act relating to the Protest of Inland Bills of Exchange and Promissory Notes in Nova Scotia." He said it was a short Bill, the object of which was to relieve an inconvenience that was experienced under the present law. A foreign bill might be protested for non-payment, and the protest was made *prima facie* evidence of that fact, but the same rule did not apply to inland bills. The consequence was where a witness died, and there was no other proof, it led to a great deal of expense and inconvenience. This Bill was simply to put the protest of inland bills on the same footing as foreign bills; and as it was purely a permissive bill, he hoped there would be no objection to the second reading.

Hon. Mr. KAULBACH had intended to oppose the Bill, but after the explanation of his hon. friend that it was a permissive bill, he would not object to it.

The Bill was read the second time.

Hon. Mr. DICKEY moved that the 41st rule be suspended, and that the Bill be read the third time presently.

The motion was agreed to, and the Bill was read the third time and passed.

RAILWAY LAWS CONSOLIDATION BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (98), "An Act to amend and consolidate 'The Railway Act of 1868' and the acts amending it."

He said although it was rather a formidable looking bill, after all it did not contain a great deal of new matter. The Railway Act was passed in 1868, and since then there had been no less than ten or eleven acts amending it. By this Bill these acts would be repealed and consolidated. There was a new clause in the Bill to make provision for the expropriation of gravel beds, borrow pits of stone, clay or sand, that might be required for railway purposes. It also made provision for railway companies to run tracks to such pits, and for the purchase of the property in cases where gravel pits could not be expropriated without damage to the farm. Another clause made provision that bridges across railway tracks should not be lower than seven feet above the top of the railway car.

Hon. Mr. READ said great care should be taken that bridges should be built high enough, because railway cars were not all the same height. It was only a few days since that man was killed near Belleville by being knocked off the top of a car on which he was standing

while passing under a low bridge. It was none too soon to legislate on this question, as accidents frequently occurred from this cause.

Hon. Mr. ALEXANDER said this habit of introducing important measures at the end of the session was a most reprehensible one. His hon. friend the Secretary of State had spoken of this Bill as if it were a measure of little consequence, with only one or two new clauses in it. Although there was very little that was new in it, it did not follow that there were no evils to be remedied in their past legislation. He had not studied the Bill carefully, but he wished to direct attention to the 28th sub-section of section nine, which was so defective in its construction, that to his knowledge parties were going to suffer very heavily through its operation. Under that clause a railway company could go to a county judge and make affidavit that the immediate possession of certain lands or property was required for railway purposes, and the judge was obliged to issue a warrant of possession before an award was made, and without notice having being given by the railway company to the owner. There were some railways projected in the part of the province from whence he came that were perfect swindles, and a public nuisance. Within the past three weeks a warrant of possession had been issued by the county jndge where he resided for some of his, (Mr. Alexander's), property to a railway company upon the affidavit of their agent that immediate possession was required, although there had been no arbitration. When he appealed to the judge the reply he had received was that under the defective wording of the clause he could do nothing but give them possession of the land. It was nothing short of a swindle, and the Company in this way had run their road over three or four counties without paying for the right of way—ran through gardens, through church yards, and over the bodies of the dead, until warrants of arrest had to be issued for the perpetrators of the outrage. In some cases where the Company desired to get possession of valuable property, they had taken advantage of the absence of the owners, made the required affidavit and obtained warrants of possession. It was a dangerous law, as there were plenty of men who had no scruples against taking false affidavits when they wished to get possession of property without paying for it, and the County Judge could not refuse to issue the order when such affidavits were presented. He objected to such an important measure being passed over without careful consideration, and he was surprised that the Government should treat the matter so carelessly.

Hon. Mr. DICKEY said it was a very inconvenient practice to discuss a particular clause on the second reading of a bill, as it was a matter that could be more properly considered in committee, where any amendment could be made that was thought to be advisable. He agreed with his hon. friend that it was very inconvenient to be called upon on such short notice to discuss a bill of one hundred sections, made up partly of consolidation and partly of new matter.

Hon. Mr. GIRARD wished to call attention to the 89th clause before the Bill was read a second time. Provision was made for the punishment of persons doing anything to railways with intent to injure persons or property, but if any person were killed in consequence of such obstruction, the offence was only treated as manslaughter, for which the penalty was not more than ten, nor less than four, years' imprisonment in the Penitentiary. He considered that if there was any case where Lynch law could be justified, it would be for a crime of this character. He believed the punishment for deliberately wrecking a train, should be the extreme penalty of the law.

Hon. Mr. TRUDEL suggested that the Bill should be postponed until next session, when the House would have time to carefully consider such an inportant piece of legislation. It was within his knowledge that the right of expropriation that was given to railway companies, was open to great abuse and inconvenience, through which property owners had suffered great injustice. Of course such powers were granted in the public interest in order to secure the right of way for railways where it was necessary to have it. But to give to railway companies the

power to leave their line and go on the property of private individuals for gravel or other materials, and to expropriate a man's farm if they thought fit to do so, was a monstrous proposition. He had not read the clause, but taking the explanation of it that had been given by the Secretary of State as correct, he felt it his duty to call the attention of the House to the danger of giving such powers.

Hon. Mr. AIKINS said it was the privilege of every hon. member of this House to discuss the principle of every Bill that came before it, but as to discussing particular clauses at this stage of the measure, it was not customary, as it could be done much more advantageously in committee. He was very much indebted to his hon. friends for the suggestions that they had made, particularly to the hon. Senator from Belleville. If the clause respecting bridges was not sufficiently wide they could amend it in committee. With regard to the remarks of the hon. gentleman from Woodstock, they would have had as much weight with the House if he had not imported quite so much warmth into his argument. The hon. gentleman had a grievance with the Credit Valley Road, with which this House had nothing to do. But when the Bill went to committee, if the hon. gentleman had any amendment to move, by which to remedy the defect in this clause, he could do so.

Hon. Mr. PENNY said, before the Bill went into committee, he hoped the Hon. the Secretary of State would look into the clause to which the hon. Senator from Woodstock had referred. He knew that under that clause, many abuses had been perpetrated in the Province from which he came, and he had frequently heard of lands being expropriated without the owners having received their money for them. When land was taken in that way for railway purposes it should not be done in such a summary manner, and when it had to be taken, the owners should be paid for it.

The Bill was read the third time and passed.

INDIAN ACT AMENDMENT BILL.

SECOND AND THIRD READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (94), "An Act to amend the Indian Act, 1876." He said: This Bill was to make new provisions respecting trespass in the way of cutting trees or doing other damages on Indian Reserves, and also to make some other provisions respecting the morals of Indians in the west, and their behaviour as servants.

The motion was agreed to, and the Bill was read the second time.

Hon Mr. CAMPBELL moved that the Bill be referred to a Committee of the Whole House presently.

The motion was agreed to.

In the Committee,

Hon. Mr. GIRARD said he wished to amend the first clause, which provided that any half-breed who might have been admitted into a treaty should be allowed to withdraw therefrom on refunding all annuity money received by him under the treaty. The intention of the law was to give every facility for half-breeds to become free men and become civilized, but if he could only do so by refunding his annuity, the terms would be too hard, and he would have to remain in his Indian position. He would propose to amend that clause so as to allow of a corresponding reduction in the quantity of land or scrip which such half-breed might be entitled to receive from the Government instead of a refund of the annuity.

The amendment was agreed to.

Hon. Mr. DICKEY reported the Bill from Committee with amendments.

The report was received, and the amendments were concurred in.

Hon. Mr. CAMPBELL moved that that the 41st rule be suspended, and that the Bill be read the third time presently.

The motion was agreed to, and the Bill was read the third time and passed.

BANK HOLIDAYS EXTENSION BILL.

DEFEATED ON SECOND READING.

Hon. Mr. SMITH moved the second reading of Bill (57) "An Act to make further provision in relation to Bank Holidays." He said that the gentlemen who had petitioned for this Bill simply asked for two extra bank holidays in the year in every province except the Province of Quebec, where they had holidays that were not observed in any other portion of the Dominion. Bank clerks have to work very hard in the summer months, and they desired to have the second Monday in August, and the second Monday in September declared bank holdiays.

Hon. Mr. READ said no doubt bank clerks had to work hard, but other classes of Her Majesty's subjects had to work hard also, and while he was quite willing that those young gentlemen should have their holiday, he objected to its being had at the expense of the business interests of the country. When bank clerks required a holiday, no doubt their employers knew how to give it to them. The proposed bank holidays were to be on the second Monday in August, and the second Monday in September. Supposing a farmer has a note to meet, or a bill to pay that fell due on one of these holidays, he drives into town, finds the banks closed, and has to return home, perhaps fifteen or twenty miles, unable to meet his engagement, although he may have plenty of money in the bank to do so. In that way his time was lost, and his credit endangered. Take another instance: A farmer drives into market with a load of grain, which he disposes of to a merchant, and is paid by cheque. When he goes to the bank he finds it is closed, and he is put to great inconvenience to get his money, as merchants, as a rule, deposit their cash on Saturdays, and when a bank holiday occurred on Monday, they could not draw until Tuesday. They were all pleased to keep Dominion Day as a holiday, and everybody knew that Christmas, New Year's Day and Good Friday were holidays, and they could be observed without inconvenience, but such holidays as were suggested could not be remembered or observed bye verybody, and they would be a serious hindrance to the business of the country. He believed in young men being well paid for their work, and if they wanted holidays there were few employers who would refuse to give them when they were necessary. He would therefore vote against this Bill.

Hon. Mr. FLINT said he could not support the Bill, as he believed they had already too many bank holidays in Ontario. In the place where he came from, Saturday was a general business day, and according to this Bill, if Christmas came on a Friday, Saturday would be a bank holiday, and if it fell on a Saturday, Monday would be a bank holiday, and it would cause a great inconvenience to farmers, who were paid by cheque for their produce, as they would have to make another trip to town to get their cheques cashed. As for the proposed holidays in August and September, the people in country districts would not understand it. He knew from his own experience, he frequently had occasion to come into town on business, and when it happened on a bank holiday it caused him a great deal of trouble and loss of time. He hoped his hon. friend would see the propriety ot withdrawing the Bill. If such a law was required in the Lower Provinces they could have it.

Hon. Gentlemen—No, No, No.

Hon. Mr. FLINT said it certainly was not required in Ontario.

Hon. Mr. McCLELAN said if New Brunswick were excepted from the operation of this Bill he would have no objection to it, but otherwise he would oppose it, as he did not think the people would benefit by such a law, and the banking institutions did not require it. The President of one of the banks of St. John had objected to Dominion Day being made a statutory holiday because of its interference with the business of the banks, and he was pretty well convinced that there would be strong objections to this measure. No doubt young men required some relaxation, but bank managers were generally considerate enough to give their em-

ployes a week's or a fortnight's holidays each in their turn, and that was a very much better plan than to break into the regular routine of the banking system. Another disadvantage that would arise from the proposed holidays, was the opportunities they would afford to burglars to carry on their operations, as it was well known that the greater number of burglaries in banks occurred on Sundays or holidays.

Hon. Mr. McLELAN expected when he heard the hon. Senator from Toronto plead so eloquently for the soft-handed, kid-gloved bank clerk, that he would have carrried his Silk-stocking Bill a little further and included in it that over-worked class, the Civil Servants in Ottawa, for, if the hon. gentleman would look at the amount of labor performed by the two sets of gentlemen, he would see that the civil servant, counting by the number of hours he spent in his office, worked rather harder than the bank clerk.

Hon. Mr. CAMPBELL—The bank clerks have very hard work.

Hon. Mr. McLELAN—Their hours are from 10 a. m. to 3 p. m.

Hon. Mr. CAMPBELL—The hon. gentleman is mistaken; they have very much longer hours.

Hon. Mr. McLELAN, (continuing)—The hon. gentleman's heart was moved at the excessive toil of those young men who spent twenty-eight hours in their offices every week, while he had not a word to say for the civil service clerk here, who was occupied 33 hours in the week. If the one class needed more time for recreation, so did the other, but he did not think, looking at the amount of work to be done in this age, that either of them should be allowed any more holidays than they had already.

Hon. Mr. KAULBACH said that he had allowed himself to became seconder of the motion, on the understanding that the Bill did not affect Nova Scotia, but the moment he found that it was not to be confined to Ontario alone, he desired to withdraw his name from it, and he was ready to move the three months' hoist.

Hon. Mr. CAMPBELL said that nobody could be more mistaken than the hon. Senator from Londonderry, (Mr. McLelan), in supposing that the hours of the bank clerks were from 10 to 3. They commenced before 10, and worked long after 3, and really earned their money as well as other people.

Hon. Mr, McLELAN - You think as hard as the civil service men?

Hon. Mr. CAMPBELL—Harder; but the civil service men also worked hard. He spoke from a personal knowledge of the fact when he said that the bank clerks had longer hours than the hon. gentleman supposed. People were too apt to believe that there was no virtue in holidays—too apt to think that keeping young men, or old men either, down to work day after day was the best way to get most out of them. He thought differently. He believed that we would be much happier and just as prosperous if we had more holidays.

Hon. Mr. MACPHERSON said that the great objection to this Bill was its exceptional character. If its object was to give additional public holidays throughout the country, it would be another matter. It was a Bill to give holidays to a special class, and if it should become law, it would be productive of great inconvenience to all other classes in the community. The effect of it would be to close the banks on days when all other business would be proceeding in the ordinary way. In the Province of Quebec, there was no exception in favour of bank clerks, the holidays were general holidays. Originally, he believed banks were not included in general holidays. These days were religious holidays in their origin. When banks came to be established, and obligations were made payable when they fell due upon days that were holidays, the banks had to be kept open for the purpose of receiving payment of those obligations, because if they were not paid, they would be protested. Therefore, in time certain days were declared to be bank holidays. It would be very extraordinary legislation on the part of this Parliament to pass an Act declaring that a particular class should have a given number of holidays. They might as well declare that the

employes of other incorporated institutions should have holidays in the same way. He thought the Bill should be withdrawn.

Hon. Mr. SMITH did not like to see the disposition which this House had shown to oppose bills, one after another, which had been passed so unanimously in the other House. This measure had received a two-third vote in another place, and, therefore, nothing would make him vote against it unless it contained something very objectionable. This was a bill which could be of little importance to hon. gentlemen who could spend a month or six weeks at the seaside every summer. They required no holidays, but young men who worked from one end of the year to the other in those institutions required some recreation. He felt, however, that it would be unwise to press the measure.

The motion was declared lost on a division.

MARITIME JURISDICTION BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (73), "An Act to amend the Maritime Jurisdiction Act, 1877."

The Bill was read the second and third time and passed.

BILL INTRODUCED.

Bill (109) "An Act to provide for the salary of one additional judge of the Supreme Court of New Brunswick, and for the salary of any future judge in equity of the Supreme Court of Nova Scotia." (Hon. Mr. Campbell.)

The Bill was read the first time.

BANKING LAWS AMENDMENT BILL.

CONCURRENCE IN AMENDMENTS.

Hon. Mr. CAMPBELL moved concurrence in the amendments made by the House of Commons to Bill (G.) "An Act to amend the Acts relating to Banks and Banking, and the Acts amending the same." He explained that there were two amendments: the fourth clause, empowering the Governor in Council to reduce the number or amount of shares of a bank in compliance with application for such reduction previously authorized by its shareholders, had been struck out. The other amendment was in the clause to prevent gambling in stocks. The provision made by the Senate was that the names of parties selling stock should be registered and set forth in contracts for sale. The objection to this was that if the vendor should be the possessor of a large number of shares, and his name should be disclosed, it might have the effect of depreciating the stock of the bank. On referring to the plan pursued in England, it was found that the banks were required to number their shares, and that stock brokers were required to give the numbers of the shares they had to sell. That plan was adopted by the House of Commons in this Bill. It would have the same effect as the original provision without being open to the same objection. He hoped that the amendments would recommend themselves to the judgment of the House.

Hon. Mr. RYAN doubted very much whether the use of numbers in this case would be at all effective for the purpose that was aimed at—checking speculations by brokers—while it would impose a large amount of work on the bank clerks. With reference to the other amendment, he entirely concurred in it; he believed that any bank requiring a reduction of its capital should come to Parliament for legislation. He would have preferred if the whole subject of banking, and matters pertaining to it, had been deferred until next session, when they could be fully discussed.

The motion was agreed to.

PETROLEUM INSPECTION BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of the Bill (104) "An Act to provide for the inspection, safe keeping and storage of petroleum and the products thereof."

The Bill was read the second time and referred to a Committee of the Whole House.

In the Committee,

On the 11th clause,

Hon. Mr. POWER asked why there was a higher fee demanded for the inspection of foreign than Canadian petroleum.

Hon. Mr. AIKINS said that he supposed the object was to protect Canadian petroleum. These fees would go into the consolidated revenue of the country.

Hon. Mr. HAYTHORNE said that this was a tax which would fall heavily upon Prince Edward Island, where American petroleum was found to be cheaper and better than Canadian oil.

Hon. Mr. DEVER said that Canadian petroleum was of an inferior quality.

Hon. Mr. AIKINS had no hesitation in saying that Canadian petroleum could be made just as good for lighting purposes as the American oil. In fact, it was being done. With regard to the duty itself, this House had no power whatever to change it.

Hon. Mr. DEVER said that the improvement in the quality of Canadian oil must have been recent. Before leaving home, he had endeavored to find Canadian oil which was fit to be burned in a house, but had not succeeded, and he had been obliged to purchase American oil.

Hon. Mr. POWER said that the late Government had redueed the duty on petroleum from 15 to 6 cents per gallon, and, if he remembered right, they were blamed for not having removed it altogether, yet the present Finance Minister made no change in the duty at all. He thought that the utterances of the Secretary of State were inconsistent with those of the Government in another place. It was unworthy of the Government to impose a tax which would amount to twenty per cent. on the value of the article. It seemed to him that if the House had been clearly aware of what was involved in that clause, they would not have passed it.

Hon. Mr. AIKINS said he was quite aware that it was the policy of the late Government to favor foreign products instead of our own, hence they reduced the duty on petroleum. The policy of the present Government had been to protect our own people, so far as foreign goods were concerned.

Hon. Mr. PENNY said that that question had been brought up by Mr. Colby, a member of the late Opposition, and of the present Ministerial party, who had made violent attacks upon the late Administration, because they did not take off the duty entirely.

Hon. Mr. AIKINS—Because they did not reduce the excise duty.

Hon. Mr. PENNY said that the Customs and Excise Bill was coming down, and yet there was no change whatever in the duty on petroleum. This was about the shabbiest form of National Policy that he had heard of yet.

Hon. Mr. REESOR asked the Secretary of State why a larger charge should be made for the mere inspection of American oil than for the inspection of the Canadian petroleum?

Hon. Mr. AIKINS said that all the fees would be paid into the consolidated revenue, and the inspector would not get the benefit of it.

Hon. Mr. HAYTHORNE said it was an underhand attempt to levy a heavier duty on foreign petroleum. The hon. Secretary of State knew that in some parts of the Dominion, American oil could be bought cheaper than the Canadian article. This was the most paltry bit of protection that he had ever heard of in his life.

The amendments were concurred in, and the Bill was read the third time and passed.

ANTICOSTI AND MAGDALEN ISLANDS TELEGRAPH BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (111) "An Act for

granting an annual subsidy towards the construction and maintenance of telegraphic communication to and upon Anticosti and the Magdalen Islands." He said that no arrangement had been made, tenders asked for, or any thing done to carry out this project. The Government was simply taking the power to grant a subsidy for the purpose. Nothing could be more useful than this telegraph system. The House would remember that some time ago a steamship having on board Lord Dufferin, was detained in the ice with two or three other ships, and thirteen or fourteen sailing vessels. Great anxiety existed as to the cause of the detention. All that time, they were in sight of the Bird Rocks, and if there had been such telegraphic communication as it was proposed by this Bill to establish, a telegram from the Rocks, would not only have relieved the anxiety of the public, but have enabled tugs to go down, and save time and money. He hoped the Senate would concur in the vote for this purpose.

Hon. Mr. POWER said that he would not ask the House to divide on this Bill, but it seemed to him a rather unusual course to provide for a service of this sort by a permanent Act, instead of having the sum required placed in the estimates, and voted each year. He thought it would have been better to have placed this item in the Supply Bill. He would not say that this was "throwing a sprat to catch a mackerel," but it was something intended to satisfy, to a certain extent, the desire of a portion of the Maritime Provinces, that they should receive a share of the fisheries award. It looked like a very small instalment of the award to be voted for the use of the people of Quebec. He thought that when the Government were making a small provision for the benefit of the provinces, they might have gone a little further, and established cable communication between Nova Scotia and Sable Island, which lay more in the direct track of general commerce than any of the other islands on our coast.

Hon. Mr. TRUDEL said that this was a mere subsidy. The laying of the cable would cost one hundred thousand dollars, and it would be done by a private company, but they required this subsidy from the Government to induce them to undertake the enterprise.

Hon. Mr. CAMPBELL said the reason why the item was not to be voted from year to year might possibly be that no company would organize to carry out the work without something more permanent than an annual vote.

Hon. Mr. DICKEY said that was exactly the explanation, because, when parties had to negotiate money for the purpose of laying a cable, it would be necessary for them to show capitalists that there should be some return for the outlay. The hon. Senator from Halifax had spoken of this subsidy as a sop to Quebec from the fisheries award. He, (Mr. Dickey), did not object to it on that account. If that was all that Quebec was to get, it would leave all the more for the Maritime Provinces. With regard to a With regard to a cable to Sable Island, he thought the matter should receive the attion of the Government; but the hon. Senator from Halifax would recollect that this House, in its wisdom, had endeavored to throw all the obstacles they could in the way of getting that cable laid. English capitalists had been here to get an act removed from the Statute book, an act which interfered with every project to lay a cable from our shores. One of his objects was to lay this very cable to Sable Island, but until this Act is removed, he cannot persuade the capitalists in London to do anything.

The Bill was read the second time, and read at length at the table.

MASTERS AND MATES OF SHIPS CERTIFICATES BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (112) "An Act to extend 'An Act respecting Certificates to Masters and Mates of Ships.'" He explained that it was a short amendment to the Act to enable second mates to pass an examination and obtain certificates as provided for by the Act.

Hon. Mr. POWER thought that it was going too far to extend the Act to second mates.

Hon. Mr. WARK thought it had proved a serious inconvenience to ship-owners. It was very usual for a seaman who did not understand navigation to discharge the duties of second mate very satisfactorily. The first mate of course, must be competent to navigate a ship, but it was unnecessary in the case of the second mate.

The Bill was read the second time and referred to Committee of the Whole.

In the Committee.

Hon. Mr. McCLELLAN regretted that the Government had thought proper to pass this Bill, because it would impose a burden on the shipping interest of the Dominion at a time when they would find it difficult to bear it.

Hon. Mr. ARCHIBALD said it was a voluntary examination altogether, and he could see no objection to the measure.

Hon. Mr. DEVER, from the Committe, reported the Bill without amendment.

The Bill was read the third time and passed.

MANITOBA ADDITIONAL TEMPORARY GRANT BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (108) "An Act to provide for the payment of an additional temporary grant to the Province of Manitoba." He said the object of the Bill was to increase the subsidy to Manitoba. Undoubtedly, that province was in an exceptional position. The population was growing larger very rapidly, and with it the expense of Government. The province had no public lands or other source of revenue, and, under those circumstances, the Government consented to increase the subsidy on the basis of 50,000 people from $91,000 to $105,000 in 1881.

Hon. Mr. DICKEY thought that Manitoba did stand in a very exceptional position; for, really, whatever the hon. Senator representing that Province (Mr. Girard), asked for, he seemed to get, and he congratulated the hon. gentleman accordingly.

Hon. Mr. GIRARD said that nothing was due to him for the Bill before the House. A delegation had come down from Manitoba, and laid a statement before the Government that they were fairly entitled to this increase. There seemed to be an impression in the minds of some hon. gentlemen, that Manitoba received too much from the public treasury. Now, he thought his Province received too little, though they had to thank the Government for the liberal spirit which they manifested towards Manitoba. The population of the Province was increasing very rapidly, and before long it would yield a very large revenue to the Dominion, as the following statement of the duties collected in that Province, since it became a part of the Dominion, would show:

DUTY ON IMPORTS IN MANITOBA.

1871	$ 15,723 22
1872	46,839 90
1873	48,074 45
1874	67,471 97
1875	171,719 63
1876	253,045 88
1877	192,480 23
1878	223,530 18

Under this Bill the Province was to receive $105,000, and in return, gave up all it possessed — its lands, revenue, and everything, and before long they would be obliged to insist upon receiving a little more. The Pacific Railway was constructed, not for the Province merely, but for the whole Dominion. He thanked the Government or their liberality towards Manitoba.

Hon. Mr. BOTSFORD asked what was the increase of population last year.

Hon. Mr. GIRARD said the increase was as follows: In 1870, Winnipeg contained a population of 400. At present it was 10,000. In 1870, the population of the entire province was 12,000, not including Indians, but including many persons who were merely making a temporary sojourn there. He could not say what the population of the Province was at present, but it could not be less than 60,000.

Hon. Mr. CAMPBELL said that the Government, before agreeing to this grant,

endeavored to ascertain the population of the Province. They found that there were at the last election 9,000 voters; allowing five to each family, that would give nearly fifty thousand of a population, and it was on that basis that the grant was allowed.

The Bill was read the second time.

SUPREME AND EXCHEQUER COURT BILL.

SECOND READING

Hon. Mr. CAMPBELL moved that the second reading of Bill (74) "An Act further to amend the Supreme and Exchequer Court Act." He said this was a Bill which dealt more with technical legal points than with any substantial matter which was interesting to laymen. The first clause gave a general appeal from any decretal order. The second clause contained the exception, and allowed an appeal only from matters affecting the merits of the case, and the appeal should be from the highest court in the province from which the appeal should come. He proposed to introduce at the end of the Bill a new section to provide that it should not be necessary for all the judges who heard the arguments to be present at the delivery of the judgment. Any judge who should have occasion to be absent could send his decision to any one of his brother judges to be read.

After a brief discussion the Bill was read the second time.

The House adjourned at 10.45 p. m.

THE SENATE.

Saturday, May 10th, 1879.

The SPEAKER took the chair at 11 a.m.

Prayers and routine proceedings.

CONSOLIDATED BANK BILL.

FIRST READING.

Hon. Mr. CAMPBELL moved that the rules of the House be suspended so far as they related to the introduction of a Bill to enable the Consolidated Bank of Canada to reduce its capital stock. He said that the bank, relying upon a clause which appeared in the general banking Act of this session, and under which they would have been enabled to apply to the Privy Council to have their stock reduced, took no steps to have legislation for the purpose: but since the bank measure had gone to the other House, that clause had been struck out, and consequently they were obliged to come to Parliament for this legislation. He thought, under the circumstances, thatthe House would not object to the motion.

The motion was agreed to.

ANTICOSTI AND MAGDALEN ISLANDS TELEGRAPH BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (111) "An Act for granting an annual subsidy towards the construction and maintenance of telegraphic communication to and upon Anticosti and the Magdalen Islands."

The Bill was read the third time.

On the question of the passing of the Bill,

Hon. Mr. ALMON said that he would have been glad if this measure included a telegraphic line from Nova Scotia to Sable Island, because he considered it exceedingly important and necessary. Sable Island was twenty miles long and two miles broad, and was situated about eighty miles from Whitehaven in Nova Scotia. Of course there was a humane establishment there, but the stock of provisions kept on the island was not very large. A number of years ago great consternation was created in Halifax by the report that the "Himalaya" with eighteen hundred souls on board had been wrecked there. If that report had been true, all the provisions would have been consumed in a couple of days, and there would have been starvation. He believed there was communication with the mainland only twice during the winter season, and it would be easy to see the danger which would be incurred by shipwreck at that

dangerous place during that season. There were a number of ponies on the island which in an extreme case could be used for food, but in the winter even this source could not be depended on. In 1873 when he had the honor of representing Halifax in the House of Commons, he had spoken to Lord Dufferin on the subject, and pointed out that it would not only be in the interest of Canada, but also of Great Britain to have telegraphic communication between Sable Island and the mainland, and he suggested that the Imperial Government should furnish the cable, and that Canada would work it. Lord Dufferin had asked him to put his views in writing, and he had done so, but shortly afterwards the the change of Government occurred, and he, (Dr. Almon), never had an opportunity to renew the matter. For meteorological purposes this cable would be of great service. Sable Island was the furthest point out from our coast, and intelligence of storms might be telegraphed from there to all points of the continent. From a scientific as well as from a humane point of view, this cable was very much wanted. He hoped the Government would bear the matter in mind, and would place a sum in the estimates for that service next year.

Hon. Mr. CAMPBELL said that he would not fail to bring the hon. gentleman's views before the Government.

MASTERS AND MATES OF SHIPS CERTIFICATES BILL.

THIRD READING.

Hon. Mr. AIKINS moved the third reading of Bill (112) "An Act to extend 'an Act respecting certificates to masters and mates of ships.'"

Hon. Mr. BOTSFORD asked what was the character of this examination. If it were a strict one it might involve a good deal of expense to the owners of vessels. He wished to know what qualifications were required under the provisions of this Bill.

Hon. Mr. AIKINS said he was not in a position to say.

Hon. Mr. ARCHIBALD said that this Bill merely allowed second mates to qualify themselves for promotion by taking out certificates. It would entail no expense upon ship owners, because there was nothing in the Act to require vessels to employ second mates having certificates. The advantage of it was, that it enabled second mates to fit themselves to be promoted to first mates and masters.

Hon. Mr. POWER said he had a good deal of hesitation in differing from the opinion expressed by the hon. Senator from North Sydney, (Mr. Archibald), but he ventured to do so. In the first place the Bill was not necessary to enable a man, acting as second mate, to get a certificate, and any seaman could pass the examination now, consequently the Bill was unnecessary. Then, with regard to the examination, he did not think it was voluntary at all. The Bill extended the provisions of the Act of 1870 to persons intending to fill the position of second mate. On turning to the Act of 1870, he found that a mate of a ship was required to hold a certificate, and consequently the second mate would be obliged to pass an examination. The effect might be to seriously interfere with the maritime interests of the Dominion. The penalty for employing as mate a man who did not hold a certificate, was $100, and this Bill, if passed, might seriously interfere with a large number of vessels trading between the Dominion and the West Indies and other places. He thought the measure should be deferred for another year, and he, therefore, moved that it be read the third time this day six months.

Hon. Mr. ARCHIBALD contended that there was nothing compulsory about the examination.

Hon. Mr. AIKINS said that with regard to the examination under the Act of 1870, the Government was empowered to lay down rules as to the conduct of such examination, and as to the qualification of applicants. The mode of examination therefore rested with the Governor in Council

Hon. Mr. McCLELAN was sorry this measure and others of an important

character had not been laid on the table earlier in the session. If the hon. Senator from North Sydney was right in supposing that the examination of second mates was not compulsory under this measure, it was entirely unnecessary.

Hon. Mr. BOTSFORD said that the whole question turned upon the point whether this Bill made it imperative on ship owners to employ second mates holding certificates. If it did not, then the Bill was defensible—if, on the other hand, the object was to put second mates on the same footing as first mates, unless a vessel owner secured the services of a second mate with proper qualification he would be subject to a penalty: but, further than that, if the second mate was not a qualified officer, the insurance would be affected.

Hon. Mr. CAMPBELL said that if he supposed that this examination were compulsory, he would agree with him that the measure should not pass this session, but he could assure the hon. gentleman that his view was not the correct one. It simply enabled a seaman to go before the Board and pass an examination, and it did not interfere in any way with the provisions under which ships were sent to sea. The object of the Bill was simply to enable men who wished to advance in their occupation to get a certificate which would give them a certain standing and enable them in future years to become first mates or masters.

Hon. Mr. BOTSFORD said he was perfectly satisfied with the explanation.

Hon. Mr. POWER still felt obliged to press his motion, and ventured, with a great deal of diffidence, to doubt the correctness of the view which the hon. Receiver General had taken of the Act of 1870. Under the fourth clause of that Act, first mates were obliged to pass an examination, and this Bill specially declared that the provisions of the Act of 1870 should apply to second mates. It seemed to him, (Mr. Power), that this measure would seriously affect the mercantile marine, and that it would be better to postpone it for another year. If the effect of it was merely to allow a man to get a certificate as second mate, there was no urgency for it, while if the effect of it was what he supposed, it would have a most injurious effect, and he, therefore, pressed his motion.

Hon. Mr. McLELAN thought it was very desirable that second mates should pass an examination for certificates, but it was still more desirable that it should be made perfectly clear, that it was not compulsory on ship owners to employ second mates holding certificates. If there were any doubts about it, he thought it would be well to defer the measure, or make it perfectly clear.

Hon. Mr. CAMPBELL—There is no doubt about it.

Hon. Mr. McLELAN thought it would lead to a good deal of confusion and litigation.

Hon. Mr. CAMPBELL did not think there was any want of clearness in the provision. However, he had no objection to add these words:

"Nothing in this Bill contained shall render it compulsory for shipowners to employ second mates with certificates."

Hon. Mr. McCLELAN had no objection to the Bill if that point were made clear, but he considered that the measure would be useless.

Hon. Mr. POWER said if the Bill were amended in that way he would ask permission of the House to withdraw his motion.

The amendment was accordingly made, and the Bill was read the third time and passed.

MANITOBA ADDITIONAL TEMPORARY GRANT BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (108) "An Act to provide for the payment of an additional temporary grant to the Province of Manitoba."

The Bill was read the third time and passed.

THE SENATE DEBATES.

THE THIRD REPORT OF THE COMMITTEE REJECTED.

Hon. Mr. MACPHERSON moved the adoption of the third report of the Senate Debates Committee, which was as follows :—

"The Select Committee appointed to inquire into the best means te be adopted to obtain correct reports of the debates and proceedings of the Senate, and for the publication of the same, and to report, from time to time, their views to the House, beg leave to make their third report :

"Your Committee have considered the question of the expediency of continuing to obtain and publish such reports, and have agreed to recommend to your honorable House that no steps for either of those purposes be taken with reference to the next session of Parliament."

He said: Hon. gentlemen will have seen in the minutes of to-day, the report of the Committee on reporting the debates submitted to the House yesterday. After giving the mattter a good deal of consideration, and getting all the information we could with respect to continuing the debates as at present, or in the form of *Hansard*, as last session, or by publishing a daily summary of two columns in the leading papers of Toronto and Montreal, the Committee found that they could not make satisfactory arrangements with the newspapers. The press in one of the cities would not publish the reports on the terms proposed by the Committee—that is, they would not agree to publish a summary furnished by the reporters of the Senate, and in addition, would not take payment for the publication of the debates, either in full or summarized. The Committee, finding they could not carry that out, after a good deal of consideration, came to the conclusion to recommend to the Senate that they should dispense with official reports for a year, and give the House an opportunity of seeing how they would be reported by the press of the country. They had the assurance from the proprietor of one paper at least before they came to that conclusion that he would send reporters to the House regularly, and this morning when I was on my way to the House I met the proprietor of another paper who asked me what we had determined upon. I said that the House had not passed upon it yet, but that the Committee had decided to recommend that no official reports should be made for next session. He immediately said "Then I must arrange to have a good reporter in the next year." He also stated that he would be glad to arrange to supply next session bound copies of the Debates; but that would be a matter for the consideration of the House next spring. I myself hesitated for some time : I was unwilling to break the continuity of the reports of our debates and proceedings, but on the whole I was willing to try the experiment. I therefore move that the report be concurred in.

Hon. Mr. ALEXANDER.—Surely some member of the Committee should have expressed his view on that report. Surely the hon. Senators from Halifax (Mr. Power), Montreal, (Mr. Penny), and Nova Scotia, (Mr. Dickey), who have taken an interest in this subject should let us hear from them on such an important matter. If I understand the wording of the report it leaves the arrangements for next session entirely to be made after the meeting of Parliament. Has any step been taken to secure reporters for next session.

Hon. Mr. MACPHERSON.—No.

Hon. Mr. ALEXANDER.—Then I simply beg to ask this House whether we can leave the engagement of reporters for the session until after Parliament has met? We all know that the press and the House of Commons pick up the good reporters.

Hon. Mr. MACPHERSON.—The recommendation of the Committee is that there should be no official report, but that the reporting should be left to the enterprise of the press of the country.

Hon. Mr. MACDONALD—Is it proposed to do away with the official report altogether.

Hon. Mr. KAULBACH.—There would be no official report if we act upon the recommendation of the Committee.

Hon. Mr. ALEXANDER.—If the House is prepared to try that experiment I have not a word to say. It would be an entire failure if they should leave it to the press of the country to send reporters here,

in the face of the arguments which have already over and over again been used. The press say naturally that they must pay attention to the House of Commons as being the representatives directly elected by the people. They must give great prominence to the debates of the House of Commons. Then the question is whether the press, who always do their best to give the debates of Parliament to their readers, can afford to employ reporters and incur the expense of telegraphing and publishing the reports of the debates in this House, in addition to those of the House of Commons. I have conversed with a great many representatives of leading organs of the country and they say that they cannot run themselves into insolvency for the benefit of the public. If we believe that the press are obliged to incur a large expenditure in reporting and publishing the debates of the other House and that under the circumstances of the country the press would not be likely to do justice to the Senate, then it would be a question for the House to say whether we should not vote a sum of money to enable the press to do justice to this Chamber. It is not a less important branch of the Legislature than the House of Commons. If the Senate should desire to try the experiment which is being proposed, of course I have nothing to say beyond what I have stated.

Hon. Mr. DICKEY—My hon. friend from Woodstock has appealed to me to express my views on this subject. The experiment which he suggested, has been tried. It was desired that as full a summary as possible, to the extent of at least two columns a day—which would be a very full summary—should be published in the press of Toronto and Montreal. We received from the press of Toronto a very decided answer, that, under no circumstances, would either of the leading papers there accept money from this House for the purpose of publishing our debates. That plan was, therefore, entirely disposed of, but they said, if there are to be no official reporters, we will send reporters on our own account to give publicity to the sayings and doings of the Senate next year. That, my hon. friend can see, will be done without any expense to the public or to this House. It appears that they have gone further, because a suggestion has been made by a local paper, that they will publish a full summary, and if the House should desire those reports in volume, form after the close of the session, they can furnish them for distribution to the members of this House and the various libraries, &c. That is the position of the matter, and my hon. friend knows that a great many hon. gentlemen have objected to the unsatisfactory state in which matters are with regard to the reporting—in other words, that we expend a large amount of money for which we get inadequate return. My hon. friend's idea from the first has been, that we should get our sayings in the leading organs of the country, so that the people should have access to them. It appears that we are going to have this carried out without expense to us, unless we conclude to have an official report—in other words, take the additional copies in volume form from the local paper. After a most patient and careful investigation, we have come to the only satisfactory solution of this problem, and we have endeavored to carry out the views which the hon. Senator from Woodstock has been endeavoring to impress upon us. From the very opening of the session, the leading papers, as a matter of etiquette, I suppose, stated that they would not put themselves in the position of receiving money for publishing the reports.

Hon. Mr. BROWN—In case any misapprehension should arise from what has been stated by the hon. Senator for Saugeen, I must warn hon. gentlemen not to expect that the press could give such full reports of the debates as very many members of the House seem to desire. This would be utterly impossible. All that the Press could be expected to do, or would do, would be to give a fair digest of the business transacted in the House in such a way as to secure its being thoroughly read and understood by the country, and no more. No doubt if this responsibility were thrown upon the Press it would be done, and the only question that arises is, whether, in addition to that they would have one or two additional reporters, or three if they liked, who would simply take full reports of the proceedings, transcribe their notes in manifold, and put the duplicates at the disposal of the Press—the reporters retaining

one copy to be placed in the Library, as was done for several years here. If it was desired to go still further, and have such a *Hansard* as they have in England, they could take that extended report, and the condensed reports from the newspapers, and after the session make up from them a clear statement such as it is desirable to put into such a record. It would cost very little to do that, and it would not interfere, as the system now does, with the press.

Hon. Mr. KAULBACH—Were the Committee unanimous in their report.

Hon. Mr. MACPHERSON — The Committee were not unanimous but there was a decided majority in favor of the report. In consequence of what the hon. gentleman for Lambton stated in the House two or three days ago, I asked the reporters to send in a tender for the performance of the work in the manner suggested. They replied that it would require three reporters, and they estimated the cost at $3,600 in order to have a prompt transcription of the reports for the use of the press on the same day as the speeches were delivered. There was a further estimate of $900 for publishing the reports in book form if it was thought desirable to do so. The Committee came to the conclusion that it would be too costly, and finally decided as they have done. Lest it should be supposed that the Committee had concluded to discontinue the official report from any dissatisfaction with our present reporters, I wish to state that that is not the case. On the contrary, the universal opinion is that the reporting has been done better and more satisfactorily this year than it was ever done before, and that if it were desirable to continue the official reports under the present system, or any other, it would be very important that the services of the same gentlemen should be retained, as it is necessary that those who report the proceedings of any deliberative assembly should be accustomed to the work, familiar with the subjects under discussion, and with the members who take part in the debates. The only complaint is that an extensive circulation for the reports cannot be obtained. The plan which the hon. Senator for Lambton suggests is this—that the debates should be reported in full, and written in duplicate by means of carbonized paper—one copy of the report to be sent to the press reporters in the other House, who would select the subjects from these reports, and take what they thought desirable, or what was in the interests of their own newspapers to publish. In that way, no doubt, the views of gentlemen belonging to both sides of the House would go to the country, and we have the assurance from members of the press that that will be done, and in that way we will get a better result without contributing to it, than we could under the present system. I have no doubt when one or two first class newspapers are regularly represented here that they will be very quickly followed by all the leading newspapers in the country.

Hon. Mr. ALEXANDER—I hope the House will not be misled by the statements of the hon. member for Saugeen. When we see the House of Commons—the popular branch of the Legislature—representing the great body of the people, whose debates are reported at great length in the leading newspapers of Montreal, Toronto and other cities, voting $15,000 or $16,000 a year in order to have an official report of their utterances, it is surely the greater reason why we should have an official report of the Debates of the Senate. Knowing this fact and knowing that the leading press of the country cannot afford to do justice to the debates of both Houses, yet the hon. gentleman tries to mislead this Chamber.

Hon. Mr. MACPHERSON — Order, order!

Hon. Mr. ALEXANDER — Well, perhaps it is the result of an error of judgment. But what are the facts? We have two gentlemen in this Chamber who have given very fair condensed reports for the Associated Press, of which all the newspapers could have availed themselves. Notwithstanding that fact, the leading organs in Toronto and Montreal cannot afford to give more than a quarter of a column a day to the utterances of this House, and frequently do not publish them at all. What complaints can be made against the reports furnished by the reporters of this House. The official reports have been *verbatim* and the press summary has been an impartial report. Does the

hon. gentleman think the press of the country will send special reporters here, at their own expense, when they have been furnished with impartial reports, supplied to them at the telegraph office, and refused to use them because they cannot afford to do so. It is not likely that, under these circumstances, they will go to the expense of reporting our debates themselves. What flimsiness of argument the hon. gentleman uses! It only confirms the statement I have made on previous occasions, that there are certain hon. gentlemen who do not desire that the utterances in this House should go to the country. I cannot remain silent, and allow statements to be made to this House which are calculated to mislead. I do not say that they were intentionally misleading, but that was their effect in every sense of the word; and I am surprised that the leader of the Government in this House has silently acquiesced in them. I am known to be a warm supporter of the Government, but I cannot help condemning the course the leader in this House has pursued in this matter.

Hon. Mr. HAYTHORNE—I must say that the reporting, on the whole, during the present session, has been performed in a very satisfactory manner, with one trifling exception, that is the newspaper in which we have to look for our reports. If any of us wish to send copies of the debates to our people, we have to mail a local paper containing the reports, and the edition of that paper in which they are published does not go to the regular subscribers. I think that the reporters have done their duty with great faithfulness, accuracy and skill. Although I do not wish to criticize the conduct of the Committee unfairly or to any great extent, yet I must say that I do not agree with their report. I think that it is most desirable that the official reports be continued, and in the present form, because to a great extent the former numbers which have been prepared in this full and exact way, would be rendered comparatively useless unless the series were kept up. Imagine at some future time that some one should attempt to write the history of Canada: he would naturally look to such a body as the Senate is to ascertain the views held by men of experience in the public affairs of the Dominion. If he should find a break in the series he would say, "it is useless to search any further." There are grave objections to committing the compilation of the Senate Debates to the press. Their report may be unfair. They may report some speakers at great length and omit others altogether. The chairman of the Committee did not, I think, state to the House whether it had been the custom on former occasions to make any announcements to the contractors and others as to the course they would recommend for the following Session. He told the House that they did not intend to recommend the continuation of the official reports. For that reason, I am very much disposed not to adopt the report of the Committee, and to give my opinion that the practice during the present and some preceding sessions has been a good one on the whole, and has proved very satisfactory.

Hon. Mr. MACPHERSON—It was recommended last session, and, I think the session before, that the arrangement which is now in force, or something similar to it, should be carried out. The year before the Debates were reported in *Hansard* form. That was found unsatisfactory, and the House, on the recommendation of the Committee, determined to publish the reports in a newspaper this year. At the close of last session, three gentlemen were named a Committee to engage reporters and make arrangements for the publication of the debates, which they did. The House has had the result of it this year. Of course no representative of a newspaper has made a contract with the Committee, or anything like a contract for publishing the debates next year, but as I have stated to the House, we have assurances from one newspaper in writing in reply to the application of the Committee, whether they would publish a two column summary daily if they were paid for it; and the proprietor had stated that he would send a reporter to the House next session. On the way to the House to-day, I met the manager of an Ottawa paper, who, on hearing the recommendation of the Committee, said he would have a good reporter in the Senate next year, and if the reports should be satisfactory to the Senate, that arrangements could be made

to have the reports published in whatever form the House might determine. This is all the information that the Committee has.

Hon. Mr. POWER—I think that the last suggestion made by the Chairman of the Committee is exceedingly objectionable. The decision of the Committee is that there should be no reports whatever. That is a reasonable ground to take, but to recommend that, we should, at the close of the session, take a report which, undoubtedly, would be one-sided and incomplete, and pay the public money for that, instead of the impartial and satisfactory reports which we have now, would be altogether objectionable. I do not propose to say anything against the report. I was a member of the Committee, but the decision they came to, was without my concurrence. I rise chiefly to express my regret that the hon. Senator from Woodstock, who has always taken a deep interest in the subject of reporting, was not present at the meeting which took place yesterday. I think it is quite probable, if he had been there, that his vote and the arguments which he has so ably placed before the House to-day, might have secured a majority of the Committee favorable to adopting a course that would have met his views, and mine too, much more than the one which they have recommended. I do not think that it rests with the hon. gentleman now to raise objections to the conclusion at which the Committee has arrived.

Hon. Mr. ALEXANDER—The hon. gentleman knows very well that I sent in my resignation in writing because I found all my efforts vain. How could I in honor attend a meeting of the Committee after having sent in my resignation?

Hon. Mr. POWER—It is true that the hon. gentleman did, when a little indignant some time ago, send in his resignation, but he knows that the House should have consented to his removal from the Committee, which was not done. We thought that, after his temporary feeling of indignation would have passed away, he would have returned to a better frame of mind, and to the meetings of the Committee also. I think that the course which the Committee have recommended is a retrograde step altogether. We tried that system for a number of years, and it was found unsatisfactory, yet we propose to go back to it. I think that the fact of the leading newspapers refusing to publish the impartial and fair summary made under the supervision of the Committee by the present reporters, is the best evidence that they would not be disposed to report the proceedings of this House. The reporters have given very satisfactory summaries during the present session, of the speeches of hon. gentlemen on both sides of the House: but the newspapers have refused to publish them, not, as it appears, because they had not space, but because they did not wish to give to the country a fair report of what was said by the gentlemen opposed to them. There is no other explanation of it.

Hon. Mr. BROWN—Not at all.

Hon. Mr. POWER—The very same thing will take place in the future that we have experienced in the past. We shall turn to one leading organ in Toronto, and find the speeches of gentlemen on one side of politics given at great length, and probably gaining something in the way of literary value at the hands of the reporters; and we shall find gentlemen who happen to differ from the proprietors of that organ receiving very little space, and shall have to go to other organs to find what they say. I suppose if we were to set a clerk to work to cut up the newspapers, and paste the reports together we might get a fair report of what was said, but I do not think that it would prove satisfactory. I do not know that it is of great consequence whether our utterances go to the country or not.

Hon. Mr. BROWN—It is quite a mistake and a popular delusion that the gentlemen who have the sole control of these matters care in the slightest degree about either one party or the other. Reporters, as a rule, are not politicians; journalists are. I am sure that the hon. Senator from Alma, (Mr. Penny), would rise and confirm this. Reporters do their work professionally. I am speaking now of what my hon. friend refers to—the condensed report of the debates and proceedings of Parliament. There is truth

in what he has said with regard to publishing speeches in full. When great debates take place the papers are unable to publish the whole of them. You know very well that the other side will be taken care of, and the consequence is, when those great debates occur, you make selections of your friends, not because they are your friends. but because they represent the opinions you hold and that you want to get to the country. It is a proper thing to do. When an hon. gentleman gets up here and says that there is nothing in the digest of the proceedings of this House of a political character I say that it is incorrect. I have seen it, and by the present reporters, worse than I ever saw it anywhere. I am told that the reports this session are better than they ever were before. I speak not of this session, for I have not had an opportunity to judge, but I say that in past sessions the reports were not fair ones, and we could not allow them to go to the country. They were as full of politics as it was possible to conceive—not that these gentlemen intended it, but they are not reporters—they are journalists, and I daresay that they put into their reports their own feelings. There is no proper ground of complaint against the press simply because they will not take this report. It may be impartial this session, but in past sessions they were of such a character that we could not adopt them. We have been compelled to use them to a certain extent and cull out from them what was objectionable sometimes when they came to us. With regard to having a full report, it is a different thing altogether. If the suggestion which I made a while ago were adopted each paper would be able to make its own report.

Hon. Mr. MACPHERSON—I think that it is only just to our reporters to state that the complaint which the hon. gentleman has just made is the first and only complaint that I have ever had of any want of impartiality on their part. I have had complaints of other kinds though very few, although I must say the hon. gentleman from Prince Edward Island complained once last year that his speech was condensed and that really was I think the only complaint that was ever made to me against the reporters. I never had a complaint of partiality against them before.

Hon. Mr. HAYTHORNE—The hon. gentleman will recollect that I did not complain that my speech was incorrectly reported on the occasion to which he refers. My complaint was simply that my speech was the first in that particular debate to be reported in the third person, and it was explained that they were simply acting in accordance with a suggestion from the Committee to condense reports.

Hon. Mr. BOTSFORD—There is a great deal of force in what the hon. Senator from Woodstock has said with respect to the operation or effect which the reporting of the debates of the Senate has upon its usefulness and influence. I take it that the report of our debates should be such as to give the public an opportunity of knowing the reason why they may differ from the other branch of the Legislature. In many instances important questions come up in which this House may differ from the House of Commons, and it is very important, in such a case, that our reasons for differing from the popular branch should be made known to the public. I feel that the usefulness and influence of this House depends a good deal upon the opportunity which may be given to the people of the country to see why it is that we reject or approve of anymeasures which may come before Parliament affecting their interests. But, evidently, the system which has been adopted, not only by the Senate, but by the House of Commons, has not given satisfaction. I believe that the debates of the other House are far in arrear.

Hon. Mr. MACPHERSON—One month in arrear.

Hon. Mr. BOTSFORD—I believe that it is proposed to do away with the large expenditure for the official reports of the House of Commons in consequence of the dissatisfaction from the delay which has taken place under the present system. But I certainly agree with the hon. member who objects to the report of the committee that it is important that the debates of this House should be circulated abroad and that if public money be expended on reporting and publishing the debates of the House of Commons, we should also appropriate public money for a similar purpose here. I go with the

report as far as this—that if the system which has been suggested could be carried out, and if the press would report the debates and proceedings of both branches of Parliament without an appropriation of the public money for the purpose, that it would be most desirable. It is the course adopted in the Imperial Parliament, and one which, I think, ought to be adopted here. I should like to try the experiment, which has been suggested in this report. I am in hopes that our example will be followed by the other House. If we can induce the press to report fairly and concisely the debates of this House, and if their reports should be of such a nature as would justify the compiling of a *Hansard*, after the close of the session, it would save a great deal of public money, and would certainly be more satisfactory than the course which has been pursued in the past. As I have said, I believe that this plan, if successful, would result in the House of Commons following our example, because I have heard a great deal of dissatisfaction expressed at the delay in the publication of their debates, and the unsatisfactory way in which the speeches have been reported. I hope that the report of the committee will be adopted.

Hon. Mr. KAULBACH—The unsatisfactory reporting and the delay in publication which is complained of in the other House do not occur in the Senate. Here we have the satisfaction of knowing that the day after our speeches are delivered they are published. There was some dissatisfaction expressed at the manner in which the reports of our debates got to the public, yet I would prefer that system of publication to what is proposed by the Committee. By what I can learn from the hon. gentlemen on that Committee I don't attach much importance to their report. It seems that if my hon. friend from Woodstock had attended its meeting his influence would probably have been the means of changing the decision which they arrived at. My hon. friend opposite from Lambton, (Mr. Brown), though a high authority on reporting matters, has not, I think, done justice to our reporters. I differ from him as regards the character of their reports. They are fair, independent, impartial and accurate, and it is plain to be seen that this is the reason why they are unsatisfactory to him. You take up the leading party organs and you find that they manipulate the reports to suit party purposes. That is their sole object. It can be seen every day in the summaries furnished to the press by the Senate reporters. If this is the result when an independent, impartial official report is furnished, what could you expect if we had to depend upon the reporters sent here by those papers? Does any one suppose that they would be sent in the interest of the public? Their object is simply what I have stated—to advance the interests of party. I am satisfied that if the House should adopt the report of the Committee, they will entirely fail in attaining their object; and the tendency of abolishing the official report will be to weaken the debates in this House. I believe that there is an opinion entertained by some hon. gentlemen that there should be less debating in this House; but I think if hon. members would prepare themselves more fully to take part in the discussion of important public questions which so frequently come before this Parliament, their speeches would be worth preserving. I think the general feeling of this House is that hon. gentlemen are not inclined to speak as much in the public interest as they ought. Furthermore I believe that if we do away with these official reports, the result will be to cause a break in the records of this House. I think it will be admitted by all that it is desirable that there should be some record of our debates and proceedings. There should be an opportunity for public men to prove their consistency on public questions. If you make a break now in those important records, which are used nearly every day in the House—I know I have occasion frequently to refer to the views of the hon. Senator for Saugeen, for instance—it will have the effect of destroying their value. But my hon. friend from Sackville, (Mr. Botsford), has used one argument which, to my mind, is conclusive. He says we often differ from the other branch of the Legislature, and the public should have the means of knowing why we differ from them on essential matters which affect the people's interests. It is well that we should have not only the votes of the members of this House, but also the views on which they

are based. I understand our present reporters have offered to renew their contract, and imperfect as the publication may be, I believe that it is better than nothing. Before another session comes around we may be able to mature a more perfect plan than the present one. In the meantime we should take steps to preserve the continuity of our records. If we come to the conclusion that that our utterances are not worth reporting and being preserved, the people will not be long arriving at the same conclusion. Compared with the expense of reporting the debates in the other House, the amount which we expend for the service is very small. I think that the House will see the necessity and importance of now making some arrangement for the reporting and publication of the Debates next session.

Hon. Mr. DICKEY—I only rise for the purpose of explaining to the hon. Senator from Sackville, (Mr. Botsford), that the suggestion is to try the experiment for one year, and we hope that the result will be as he has anticipated. It seems very difficult to please hon. gentlemen here, for the complaint made from beginning to end of this session has been, that their utterances have not gone to the country. We propose a plan by which, without expending the public money, our debates can be reported and sent to the public. The Committee have the assurances in writing of one leading journalist and verbally of another that this will be done; but we have the declaration of the hon. Senator for Lambton, (Mr. Brown), that while there is a system of official reporting, none of these leading organs will send reporters here ; but that they will send representatives for the purpose of giving publicity to our debates if there is no official reporting—that they will publish condensed reports of our debates and proceedings which will reach the great mass of the people of this country, and be much more readable than any report we can get by expending the public money.

Hon. Mr. CAMPBELL—It will be much more read.

Hon. Mr. DICKEY—We have merely proposed it as an experiment, as all previous modes have been thought unsatisfactory, not from any objection to the skill of our reporters, or the accuracy of their reports, but from the difficulty of getting our debates properly put before the people. We are offered an opportunity of having our debates published with a large saving of expense, and I think that we should try the experiment at all events.

Hon. Mr. TRUDEL—I contend that there is a necessity for having an official report of the debates of this House ; I consider that it has the effect of making public men consistent. There is nothing that I fear so much as what we may call the "opinions of circumstances." Unfortunately there are men who are "ever stronger on the strongest side ;" and I think the best way to secure consistency in such cases, is to have their utterances placed on record. In saying so, of course I do not reflect upon any hon. gentleman in this House. I would not have ventured to say that any of us have been guilty of inconsistency, but I do contend that our official reports have a tendency to make men cautious about expressing opinions which might conflict with those of former years. I have a little experience of reporting, because, in my profession, in the city where I live, most of the evidence is officially taken by the reporters, and we find that it effects a great saving of time and expense; and the only objection that can be urged against it is that the practice is not extended far enough—we would prefer that there should be a full report of all that takes place in court. We often find the decision of a judge the reverse of a decision which he pronounced on a similar occasion a year or two before, and there is no official record of the judgments to show the inconsistency. I consider that the best remedy for such an evil would be to have official reports as full and as accurate as we have had this year in this House. A reflection has been cast upon our reporters, but I may say, so far as I can judge, it is impossible to have better reports. I confess that I have an imperfect knowledge of English, but I am always pleased to find that the reports of my speeches contain all my arguments, expressed in very much better shape than I could put them in myself. As I have said, I have had a good deal of experience of reporters and reporting both here and

elsewhere, and I repeat that I do not think it is possible to get better reports than the present contractors have furnished for the past three sessions. It has sometimes been remarked by the members of this House who speak the French language that it would be but justice to them that a French reporter should be added to the present staff, but I have not heard any one express the intention of asking to have the idea carried out just now, while the times are so hard, and money is so scarce. As to the press publishing our debates, that is a matter beyond the control of the Committee. Of course, we cannot force the public to take an interest in our proceedings if they do not choose to do so, and we cannot force the press to report our debates, or to give any space which we may require for that service. I may remark that I consider the arrangement for the publication of our debates this year is not satisfactory. The reports appear in an edition of a local paper, which does not go largely to the public. It is a special edition for the use of the Senate, which seems to me absurd. It has been stated that if there were no official report, it would be an inducement for the leading papers to send reporters here. I do not see how the fact of our having official reports would prevent them from reporting our proceedings, if they wish to do so. Why should the leading organs object to our having an official report? Is it because they are afraid that there would be discrepancies between their reports and ours? If so, it only goes to show the necessity of having an official report. The hon. Senator from Lambton, (Mr. Brown), says that reporters generally have no political leanings. This I am ready to admit, but at the same time, the owners of newspapers are not so impartial, and there is nothing to prevent them striking out portions of the reports furnished to them, or modifying them before publication. They will only publish what suits their own interest. I may mention an instance of this to illustrate the state ment I have just made, which occurred at the beginning of this session. Five or six members of both houses made a wager that the reports of speeches of certain gentlemen whose names were mentioned would never appear in certain newspapers; and as a matter of fact, they never have. It was understood that for some reason of which I am not aware, those papers had decided to enter into what is called "the conspiracy of silence," that is, to fight a man by treating him as if he did not exist. This may be practiced at any time towards members of this body, if we have no official report. I am perfectly satisfied with the reports which we have now, except that they are not published in the way that we desire. I would much prefer the system of last year, by which we were furnished with a certain number of *Hansard* sheets, which we could circulate as we pleased. I do not approve of the recommendation of the Committee, and I will vote against it.

Hon. Mr. RYAN—It appears to me that it is very essential that the Debates of this House should be brought before, and under the notice of the public. But I think it is also almost as essential that we should have a continued record of the proceedings of this House in the form of *Hansard*. That has been the practice in England. I do not say that it should be an extended report, but there should be a summary of our Debates recorded, and handed down from session to session for reference. I think that would be very essential, and I should be sorry to see that system abandoned. I think that the proposition or suggestion made by the Committee is a very indefinite one. They tell us that they expect reporters from the leading newspapers to come here and make a report of our debates, but there is no written record of their intention to do so. If there is, it ought to be submitted to the House. We may find ourselves at the commencement of next session in a difficulty with the owners of the newspapers which have been referred to, and the result may be to deprive us of any report at all. We would be left to the mercy of the newspapers. Then, as to the question of expense, it is all very well to say that the newspapers do not intend to charge us anything, but when you come to publish a *Hansard* after the session, you may find that the expense will be greater than it is at present.

Hon. Mr. READ—I think it would be exceedingly inconvenient if we did not have an official record of the debates of this Chamber. I look upon it as most desirable, and I believe that the money

expended upon it would be well employed. It will have a tendency to keep gentlemen within bounds. Those who wish to trim will find that their former utterances will be brought up against them. I find also that there is nothing more desirable to the press and the country than to have copies of our Debates. I have had inquiries for half a dozen of them this session, but we have not got them to give. It shows that the press of the country desires, during the interval of Parliament, to cull out speeches, and see what has really taken place in this branch of the Legislature, and give to the public their views upon certain matters. The only thing to be objected to this year—and it might have been saved by a very little expenditure—is that the Debates have not gone into a regular issue of a newspaper. We have spent much time on this matter, and there have been heartburnings and grievances, because it was believed by many that it was intended to keep our debates away from the public. I am not alone in my opinion of that.

Hon. Mr. ALEXANDER—It was a regular plot.

Hon. Mr. READ—The trifling value of the paper was the only difficulty. As I said before, it is desirable that we should have a continuous record of the debates and procedings of the Senate. I believe that we should have an official report, and not be left to the reporters of the press, who, perhaps, have no political opinions, but who may have to act upon orders from those who have. Everybody knows that they are instructed what speakers to condense, and whom to omit altogether. Will anybody tell me that no such orders are given, and that we are to be bound by such reports, because it turns out that there is is to be a *Hansard* behind the whole of it? We would like to see the commencement and not the end of it. No doubt we will have to pay as large a sum for an incomplete report, with which nobody will be satisfied.

Hon. Mr. SMITH—I do not wish to interfere with the report of the Committee, but I am sure that we must all be obliged to them for the trouble they have taken in endeavoring to satisfy this House and the country. Yet I am not altogether satisfied with the manner in which the report has been submitted. I am inclined to support the present system, or partially the present system, until such time as a general one can be devised. I am inclined to support the present reporters being retained for the purpose of making an official record of the debates of the Senate, so that any paper or any reporter could take what was considered necessary, and publish it. I cannot vote that the system of recording the debates of this House, should be done away with. If it should be, I am satisfied that very few speeches would be reported. No matter who the member of this House may be, there are always people in the country who would like to read his views on the subjects which come before us for discussion. I think that a better system, not in the shape of reporting, but in the way of distributing the reports to the country, will be established in the future. I am sure that we are all satisfied with the reports this session. I believe that the present contractors have given almost universal satisfaction. If it is left to the press they will only report what they think proper. I do not find fault with one portion of the press any more than with the other, and I dare say that if any of us were engaged in the same business we would do the same. Newspapers are private property, and the owners have a perfect right to do as they please with them, but I certainly should like the present system of having an official report continued until something better can be devised.

Hon. Mr. CORNWALL—During the discussion that has taken place on this motion, I was particularly struck by the weakness of the arguments adduced by the hon gentleman from Amherst, a member of the Debates Committee. He said that the plan proposed by the Committee was one by which we can get the reports of the proceedings of this House published free of expense. His contention was that so long as there is an official report of the debates it will be impossible to get the newspapers to report them on their own account, but that, the official report being done away with, then the newspapers would send here their own reporters. I ask him what is the reason the newspapers decline to send their re-

porters here now? Must it not be the fact that they know that while there is an official report it would be impossible, or at least unwise, to send one-sided reports to the public when they can be immediately contradicted by the official record of the utterances of this House. Is that not the reason that, up to the present time, has influenced the proprietors of the leading newspapers of the country? It the official report is done away with it is simply absurd to expect fair reports of the proceedings of this, or any other House, in the leading newspapers of the country. Even in England, where the newspapers do not hold such strong party views, and are not so biassed as they are in Canada, their reports of parliamentary proceedings are more or less one sided; and what can we expect in this country, where every influential newspaper holds most decided views on one side or the other of politics, and where such is the petty party meanness with which these papers are conducted, that, on every question which has any party bearing at all, it is impossible to get a fair statement of the case, or a fair line of argument used. That is simply the state of affairs in Canada. There may be reasons for it; the country is young, and decided feelings are engaged on all questions affecting the welfare of the country. But the fact remains the same, and I contend that unless we have an official report of the proceedings of this Senate we cannot obtain a fair or continuous report of the debates of this House in the newspapers. I therefore consider that the report made by the Committee is an unfortunate one. I was struck from the first with the incompleteness of the arrangement for publication the present session, and when the matter was first discussed before the House, I took occasion to say that I regretted that such an arrangement was made. We were told it was the only one that could be obtained, but here we have the fact that if a little more expense had been gone to the whole thing could have been conducted in a way that would have satisfied every hon. member in this House. The course adopted by the Committee is one that shows they are simply anxious to get rid of the trouble that attaches to them in this matter. I quite agree with my hon. friend from Lunenburg who almost expressed a hope that the Committee should be replaced by another Committee who would be inclined to look more closely into the matter and to do what is more satisfactory to the House.

Hon. Mr. MACDONALD (Victoria)—I think it is the general opinion of hon. gentlemen that there should be an official report of the debates of this Senate, and for my part I do not think it is wise to leave it to the newspapers. Notwithstanding the remarks of the hon. gentleman for Lambton, I think it is impossible for newspaper reporters not to have political bias, and they do lean to one side or the other. I say it with all deference to the gentlemen of the press; I think they imbibe politics with their mother's milk. As I think this House should have an official report I beg to move the following amendment:—

To leave out the word "adopted" and insert "referred back to the Select Committee with the instruction—That it is desirable that there should be an official report and record of the debates of the Senate, and that the Committee be authorized to make the necessary arrangements to carry out these objects for the ensuing year, and report to this House before the rising of Parliament."

The question of concurrence being put thereon, the House divided, and the names being called for, they were taken down as follow:—

CONTENTS:

Hon. Messrs.

Aikins,	Haythorne,
Alexander,	Hope,
Almon,	Kaulbach,
Baillargeon,	Macdonald.
Bellerose,	Montgomery,
Bureau,	Muirhead,
Chapais,	Odell,
Cornwall,	Paquet,
Dever,	Power,
Dumouchel,	Read,
Flint,	Reesor,
Girard,	Ryan,
Glasier,	Smith,
Hamilton (Inkerman),	Trudel and
Haviland,	Wilmot (Speaker)—30

NON-CONTENTS:

Hon. Messrs.

Archibald,	Grant,
Armand,	Guevremont.
Benson,	McLelan (Londonderry)
Botsford,	McMaster,
Bourinot,	Macpherson,

Brown,	Pelletier,
Campbell,	Penny,
Chaffers,	Pozer,
Christie,	Seymour,
Dickey,	Simpson and
Dickson,	Stevens—22.

Hon. Mr. DICKEY said as the House had decided upon a policy adverse to the report of the Committee, and as he did not wish to stand in the way of carrying out the wishes of the House, he would tender his resignation as a member of the Committee.

Hon. Messrs. Macpherson, Penny, and Brown also tendered their resignations.

At 1.15 p.m. the Speaker left the chair.

After some time the House resumed.

The SPEAKER put the question, "shall the motion as amended pass?"

Hon. Mr. CAMPBELL—The House having decided that the action of the Committee is not that which the Senate desires, several gentlemen, who were members of that Committee, have declined to act further upon it. It is necessary, therefore, to suggest other names in the place of those gentlemen. In doing so I must express my regret that this step should be thought necessary, as I am quite sure that the desire of these gentlemen was to do that which was best, and I personally agree with the course which they took. I think the object of reporting the debates is not so much to preserve a record of what is said in the House as to secure the reading of what is said in the House by the general public, so that it may in that way affect public opinion. The system of reporting everything we say is not one which, I think, is attended with the most useful results, and it does not promote the usefulness of this House. That is my opinion. However, that is not the opinion of the majority here, and I must bow to the decision of the House.

After some conversation,

Hon. Mr. CAMPBELL gave notice that on Monday next he would move that the hon. Messrs. Botsford, Kaulbach, Macdonald and Haythorne be appointed as members of the Select Committee on publishing the Debates of the Senate, instead of the hon. Messrs. Brown, Dickey, Macpherson and Penny, who have resigned.

THE TARIFF BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (9) "An Act to alter the duties of Customs and Excise." He. said: I wish very much instead of the discussion upon the publishing of our debates, that this question had been taken up earlier in the morning. I think it would have been much more useful to the country and more satisfactory to ourselves. It has been my fortune once or twice to propose changes of the tariff in this House, but I have never considered it my duty to go into the matter in detail inasmuch as the subject is one which particularly concerns the House of Commons, and it rests with them substantially to decide the question of rates of tariff, and all things pertaining to that subject. I will not depart from that usage in this instance, but will content myself by pointing out the general features which surround the changes that have been made, and the expectations which the Government entertain from the Bill which is now before the House. I think, perhaps—I will not say so much in the debates in the other House as in the minds of the general public—it has been lost sight of rather too much, that it is necessary to raise a large additional revenue. I do not desire to import into the discussion in this House any question of the responsibility for that necessity; I do not seek to charge any Government with it, or to bring any question of who or what party is responsible for the deficit into the discussion at all. I simply dwell upon the fact that for some years past there has been a deficit in the revenue, and that it is necessary to raise an additional sum of money to meet it. The question "how shall we raise it?" was the one that presented itself for solution to the Government of the day. If in raising that additional revenue, protection could be afforded to manufactures, and the interests of various industries could be considered and advanced, it was

evidently a great additional inducement to the Government to take the course which has been adopted in this Bill. It has been the opinion of many free traders —and I propose to quote the opinion of one eminent free trader—that when these two things coincide, we find that the disciples of free trade are content to see a protective tariff introduced. That is the opinion of Lord Salisbury, as lately expressed in his reply to the address of the Chambers of Commerce. This doctrine has been accepted even by free trade journals, and by eminent free traders, that where these two interests come together, then the general doctrines of free trade—even as held by its extreme advocates—give way, and they are content to consider that the other policy shall be the one that is in the interest of the people and of the Government. These circumstances did come together in Canada. It was necessary to raise additional revenue, and it was necessary also to give protection to manufactures. I do not think that the general arguments of free trade vs. protection can be used cogently by free traders, or protectionists in this country. We are so overshadowed by the nation on whose borders we are, that we cannot be said to be free to do what, under other circumstances, would be considered best; that is, we must consider their relative position, their preponderance of wealth and population, and their proximity to our borders, which enable them to interfere with our prosperity for good or for evil. I believe that our prosperity and theirs ascend together; and that commercial depression affects us together also. On this occasion, if there is any indication of a return to prosperity in this country, it is due, to a certain extent, to a revival of trade in the United States. The urgency for protection, and the fact that additional revenue must be raised in some way being coincident, have led to the changes which this Bill proposes to make in the tariff. To give effect to the idea which I have suggested, great care was taken to select those branches of industry which would be least affected in the Mother Country by an increase of duties, and to so arrange the tariff that it should operate rather as against the industries of other countries that against the manufacturers of Great Britain. To show that this has been done, I shall quote from a paper which I have in my hand some figures which seem to me to be extremely apposite, and which to my mind show very clearly where, and to what extent, these relative duties have effected the two countries—Great Britain and the United States. In 1872–3 the imports from England into Canada exceeded those of the United States in value by more than $20,000,000, while in 1878 they only showed $11,000,000. Now, this proves that between those years trade had taken such a change that our purchases were made in the United States, to a much larger extent than they had previously been, and that they had diminished in Great Britain in a corresponding ratio. In raising the revenue it became necessary to enquire into the various articles comprising this trade, and to ascertain in what direction these changes had taken place, and these were the articles that were selected mainly for increased duties. The conclusion that statisticians have come to from the proposed change is that it will affect more materially the imports from the United States than those from Great Britain. The estimated values of goods upon which increased duties have been placed, is $18,000,000 from Great Britain, and $28,000,000 from the United States. That is the estimate made by the experts as to the effect of the present tariff. I think the aggregate increase of duty will be something more than $2,500,000. From that there is something to be deducted from loss for diminished imports, and the result, it is hoped, will give the extra revenue required—something about $2,000,000. Various difficulties have occurred in the re-adjustment of the tariff. I took part myself in hearing very many of the deputations who waited upon the Minister of Finance in connection with the various topics touched upon, and after many difficulties, the tariff was arranged as much as possible to have the effect I have indicated, that is, to reach the imports from the United States rather than those from Great Britain. I have seen letters written since the tariff was known in Great Britain, from men in position in that country, who have an opportunity of forming an opinion, indicating that they have very much changed from first impressions on the subject, and they see now

that the tariff will not have the effect they at first feared it would have on the trade of Great Britain. I refer to that because there was a very anxious desire on the part of the Government to avoid that danger—an evil which would have resulted from any seeming indifference on the part of the Government or Legislature of this country to take any course which was likely to be inimical to the interests of Great Britain, and to the trade of that country. Now, perhaps, the most startling thing in the tariff is the duty on coal and breadstuffs. The duty on coal, it was thought, would have the effect of raising the price of that article considerably. It has not had that effect so far, and I trust it will not have that effect in the future. The price of coal was very low when the tariff was brought into operation, and has not increased so far. On that article the tariff will not have much effect upon the trade with Great Britain as the whole value of coal imported from that country last year, was very small compared with imports from the United States. I believe that the whole amount imported from Great Britain last year, was about $400,000, and that the balance was imported from the United States. With reference to breadstuffs, there is no importation of that kind at all from Great Britain, and the importation, if any there is, comes from the United States, and the readjustment has been made in such a way as to meet, as far as possible, the varied interests of this large Dominion. The people of Ontario derive the greater part of their coal from Pennsylvania and other parts of the United States, and the natural market for the coal of Nova Scotia would be the New England States; but so long as they prevented our coal from going in by imposing a duty of 75 cents a ton it was impossible to do business with profit with the Eastern States. I have no doubt if we could have accomplished the object for which my hon. friend from Toronto went to the United States some years ago, and secured a new reciprocity treaty with the United States, it would be a far better thing than the policy which we have adopted. One would fain see that, because it would give us a very large market instead of one of only three or four millions of people. Let us suppose the effect of the tariff is to give the entire market of this country to those who manufacture in it, yet it has only a population of four millions of people, and it is much less likely to bring about a very prosperous and increased state of manufactures than it would be if the markets of the United States with their forty millions of people were thrown open to us. But we are obliged to do the best we can with the country as it is, and the tariff of the United States as it is. We have tried for many years, in every way that was open for an independent and proud people, to secure reciprocity with the United States. Everything has been done that could be done, and, failing that, it is necessary for us to do the best we can in our own country, with our own markets, and with our own people. We have not gone very much in excess of previous tariffs in this way, because the values of things are much less than they were in former years, and, whereas, under former governments—for instance the Government of which I was previously a member, and the late Government—the tariff was 15 and 17½ per cent. on some things, and might be now a great deal more than that, still the values have shrunk very much, and the actual change may not be as much as is generally contemplated. I do not desire to import into this discussion the necessity for additional revenue, but we are obliged to raise it, and the only way to do so is to increase the duties, and the opportunity of doing that, coinciding with the necessity, at all events, of giving the market such as we have in our own country to our own manufacturers, the tariff is based upon that principle, with the other feeling constantly borne in mind, to guard as far as possible against producing any feeling in England that every consideration was not given and everything was not done to prevent interfering with the trade between the Mother Country and this Colony as a daughter of the Mother Country. Bearing these things in mind, the tariff was framed and I am very glad to know that it has met with the approbation of the people. The elections turned upon it. All over the country it was the battle cry, and we all know what the result was - that a Ministry very strong in the confidence of the people, and in the sympathies of the country, presided over by gentlemen of great talent and

industry, who controlled for five years the destinies of the country, was overthrown and a Parliament was elected to support this present Government by a large majority on this question more than any other; so that we have the satisfaction of knowing that the large mass of the people of the country are anxious to try this experiment for good or for evil, and I hope and trust for good. So far as we know, up to this moment the trial has not been one to make us feel any distrust or misgiving. Some manufactories have gone into operation that had been stopped, and there is, I may say, a general trust and confidence that, with other circumstances—I do not mean to say it can do it of itself—will tend to revive again the prosperity which we have lost for so many years. I hope and trust that this will be the case. I do not feel that it is necessary for me in the Senate, the second branch of the Legislature, in moving a Bill of this kind, to say anything more than I have said. I have endeavored to confine myself to the general features in the change of the policy of the country. I hope and trust the House will see I have discharged my duty in that sense, and have not sought, in any way, to bring into dispute, any topic likely to cause feeling of any kind that would interfere with the calm consideration of the question.

Hon. Mr. PENNY.—The hon. gentleman who has just addressed the House says very properly that an entire change is to be effected in the policy of the country by the present tariff. I think myself that it is a something which might very properly be called a revolution, from a financial point of view, and it seems to me it is a very remarkable period to begin a revolution of that kind. The country is suffering from a general depression—there is a great reduction of values, and it is severely felt by all classes and by almost every person who owns property. The only way out of a condition of that kind is by very close thrift, by working harder and by saving more money than we have been in the habit of doing. One means by which the saving could be most effectively aided would be by the continuance of low prices, which are the natural condition of the state of affairs we are going through and must be the basis of any improvement. Action and reaction are laws of nature, and when we get get into a condition such as we have been going through, low prices and the consequences of low prices enable the people to save, and restore the prosperity of the country. But, instead of allowing this natural state of things to continue, the Government have thought, in their wisdom—and I am bound to say that the people at the polls have sustained them—of increasing the taxes of the country. It is said, however, that this is to do no harm, as it will not increase the cost of living. The hon. gentleman says, as an example, that coal is no dearer now than before the tariff was increased. To say that 50 cents per ton charged on coal does not increase the price is rather contradictory. To assert that coal is no dearer now is, in fact, only equivalent to saying that if the 50 cents per ton had not been imposed the coal would have been 50 cents a ton cheaper, and, instead of that difference going into the pockets of the people, it goes into the pockets of the coal dealer, or into the Treasury, when levied on foreign coal. The complaint of those gentlemen who got this change made, was that things were so cheap they could not live. Unless the prices were increased they said that they could not live, and would have to go out of business. If the hon. gentleman shows, therefore, that his tariff is not going to make things dearer—that is, in relation to the general markets of the world, I should say that he has failed in accomplishing the object which those gentlemen for whom he has been laboring desire to attain. The effect of the tariff, moreover, on certain classes of goods will be, I suppose, as it is the intention, to encourage their manufacture in the country. Now with regard to certain articles, such as boots and shoes for example, for which there is a very large demand, they may be made in a small country as advantageously as in a large one. But there are also large classes of manufactures which can only be made successfully when there is a large population or a large foreign market to consume them; and to insist that such articles shall be made in this country with its small population is to say that it shall be done at the cost of the community. It is equivalent to saying that because people live in a small community they are to be

fined for doing so. I think also that while our people will be obliged to pay more for the necessaries of life there is very little hope that they will find any increase of the private revenues by which they may meet the new demands upon them. I think nobody, whatever faith he has in this policy, will suppose that it will make the incomes of any class of people better in proportion to their position than similar classes in the United States. If it be true that a high tariff improves people's circumstances, they have a tariff as high or higher than ours in the United States, and they have wealth of all kinds in their soil that we, unfortunately, cannot pretend to have. Nobody can suppose therefore that the private revenues of any class of people can be made greater here than there, and yet we mean to make the expense of living higher here than there by increasing the price of a vast number of articles. We tell our people in effect that their wages will be no higher here than in the States, but the cost of living will be greater. If that is the way to get people to come here, or to stay here, it seems to me it is contrary to the ordinary course of human affairs. Then, I want to ask the House how it is possible to promote prosperity by increasing the taxation of the country, and raising the price of articles which are only passing from hand to hand among the people of the country. I can understand how if by any legislation of ours we can make people who buy our breadstuffs, or our lumber, or anything else that we export, pay a higher price for these goods, that of course the more they would pay the more money would come to the country ; but as between citizens of one country to make the buyer pay more, in order that the seller may make more profit, is only to rob one class for the benefit of the other. There is no addition to the wealth of the community. There is no addition, therefore, that you can make to the tariff, which will increase the price of articles entering into the internal commerce the country, nor that can by any possibility add to the revenue of the Dominion, as a whole. If you could make the people of England or the Americans pay more for the lumber or cattle, or anything else they take from us, you would increase the revenue of the country, and *pro tanto*, its prosperity also, but you cannot do so by making one Canadian pay more to another than he would otherwise do. That appears so evident that I do not see how people can delude themselves by supposing that they are to benefit by the cost of things which pass from hand to hand in the country being higher than before. The hon. gentleman has spoken as if the only, or at least, the main object of the tariff was to enable the Government to procure a greater revenue. He has said very properly that he imputed nothing to one government more than another as to the increase of debt, which renders the increase of revenue necessary. In that he is right. As I have before had occassion to say in this House, I believe the straits in which we find ourelves in Canada arise, not especially from the policy of one Government nor of another, but from the obligations which were saddled upon us by Confederation and its consequences. That is a matter of not much consequence to this discussion. But what I particularly wish to remark is that the proposed mode of collecting the higher revenue, which, of course, must be provided, seems to me to be burning the candle at both ends. For every dollar that goes into the Treasury we shall charge the people another dollar in another direction. The sugar trade has been very much spoken of in this connection, and there is no manufacture which affords a more obvious mode of arriving at the true operation of this tariff than that industry. Before the tariff was introduced, last year, the Treasury got the highest ratio of the percentage upon the highest priced sugar, because, of course, they got it on the manufactured and finished article. They, therefore, got the highest amount of revenue, and at the same time imposed the least burden on the people, because all that was taken from them went into the Treasury. Under the new tariff, we are going to get the lowest ratio —the least percentage on the lowest priced sugar—that is, on the kind that comes in to be manufactured. Whether the Government will lose half a million of dollars or more, I cannot say, but the fact is admitted by the Minister that while he is raising the duty on the finished article, which determines the price to the consumer, he is going to get less revenue, and he probably does not admit nearly the

deficit of revenue which is going to arise. And the people, while he gets less for the state, will be paying more for their sugar. It is said, indeed, that the price of sugar has not been increased. If it is so, it is because the price of sugar in the markets of the world has diminished without any advantage to our sugar eaters. Then the hon. gentleman has quoted Lord Salisbury. My impression is that he has quoted him for a purpose which would surprise His Lordship if he heard it. I do not recollect having read the report from which the hon. gentleman quoted, but from what he gave to the House it appears to me that Lord Salisbury said something like this: "Gentlemen, in Canada and other countries it is quite impossible that Free Trade can be carried out. The Government want money and the manufacturers want protection, and these two circumstances going together make such a strong whip, that in spite of common sense and in spite of science, they override both, and add to the taxes of the people." He did not speak of what was right, but of what was wrong, though inevitable. The fact is, nobody can imagine that a revenue tariff, and a protective tariff can coincide. A tariff may, no doubt, be partly revenue and partly protective. There will be some things which, being still admitted into the country, you continue to get a revenue from; and other things may be excluded from the country. You cannot have your cake and eat it. Upon everything in which the Minister meets with success by establishing manufactures in the country, instead importing, the revenue must decline. If you put 60 per cent. on goods that do not get in, you get nothing notwithstanding your high rate, and you must get more from other sources. I have already admitted, and we must all admit, that the country, captivated by the eloquence of my hon. friend opposite and other gentlemen who supported his Government, were induced to go into this experiment.

Hon. Mr. CAMPBELL—Not captivated by me.

Hon. Mr. PENNY—There were other gentlemen who perhaps did not possess the persuasive eloquence of my hon. friend here, but yet made more noise than he, and induced the country to go into an experiment which is revolutionary and dangerous in my opinion. This House has less to say than the other branch of the Legislature, however, on matters of this kind, and if I had been a member of that House I should have had to admit that the will of the people is supreme. At the same time, believing this tariff to be dangerous for the country, I must respectfully record my dissent from this Bill.

Hon. Mr. BROWN said: It is all very well for the leader of the Government to tell us that the sole object of this Bill is to supply a deficiency in revenue. The hon. gentleman's colleagues, at any rate, did not tell this to the people at the polls on the, 17th of September. We heard nothing of deficits then. We heard of protecting the industrial interests of the country; and the mechanics, and laborers, and everybody in this country were to be made rich and happy by the imposition of taxes. They were not told then that the sole object of the Government was to raise a revenue. This was not the case in Ontario at all events: we never heard of this measure being intended to supply a mere deficit. It was intended as a retaliatory measure. We were going to take the United States by the throat and show them that the people of Canada were prepared to grapple with them for the commerce of the world, and to tell the people of England that no more shoddy was to be brought over to this country. We were told that it was intended to keep Canada for the Canadians, and to make them rich and happy by the imposition of taxes. We were to help certain classes and certain industries, and to foster them at the expense of the rest of the people, in order to keep a few establishments in profitable operation; that they would starve unless they could get these contributions from the public generally. The hon. gentleman says that is all in the past. I hope that his speech will go to the country, as it will shew how the Government desires, in this House, to ignore entirely the trash which was sent to the people of this country last September, and that the increase is made on the old ground, as he says, that has been held by both parties. Had the measure been simply one of that kind, the hon. gentleman's words would have

had no significance, but he knows very well that the Government, and their supporters at the polls, did not speak in the way in which he has spoken here to-day. We find that all these will-o-the-wisps which were held up to the country, have been attempted to be carried out in this scheme. It is no use to make a speech here to-day. It is quite clear that the Government have not desired to bring down this measure at such a time as it could be fully discussed, and the views of this Chamber brought out and sent to the country. It is quite clear that the Government intended, when they brought down the Supplementary Estimates only in the very last hour of the session, putting taxes on the people quite equal to all they propose to get here——$1,250,000—when they come down to us and ask to get 100,000,000 acres of land in the west, and $2,000,000 to pay for the purchase of a road, which certainly could be built for less money to day; when they propose to assume burdens like these, and to increase the taxes of the people, and at the same time tell us that the measure which every one must admit will be injurious to many interests of the country, is attempted to be carried simply on the ground of covering up two millions of deficits, I confess that it would be most unreasonable to think of going largely into this matter when the end of the session has arrived. We cannot talk on this subject as we might desire, because I do not think that anything which any of us could say would be likely to change the vote in this House. I shall endeavor to present what appears to me to be the main evil features of the scheme, and I will do it as briefly as I can. Few measures have ever been presented to any legislature in any province of the Dominion, in my recollection, which extends over a period of 37 years, which have more certainly and more deeply affected the prosperity and the stability of the people, than the measure now before us. It is true, that the hon. gentleman may say that it will affect the country for the better: I wish I could think so. It seems to me that we are turning our backs on the record of the country. Our history is not long. It is but the other day since the whole Dominion was a wilderness: emigrants came out here, took up industries natural to the country, and proceeded to develope them with a degree of success, which, I fancy, is hardly excelled in any part of the world. You say that it has been excelled in the United States. Well, there is a difference in the climate, and they commenced very much earlier than we did. They were a separate Republic. They had no European position to consider here. They stood alone, and they invited men of all nations, long before Canada did, to come and settle amongst them, and the consequence was that their progress was very great. They had a much larger area of land that could be brought to a high state of cultivation. They had a large country producing a variety of crops, yet comparing State with State and Province with Province, and considering the difference in time as regards settlement, and the difference in climate, I fancy that the progress which has been made in this country has been quite as satisfactory as the progress which has been effected by the United States or any portion of the world. There is one thing which we have been taught by the history of the United States, and by what we witness there—that it is not when wages are very high and when everything seems to be going ahead without the slightest restraint, that the people can be said to be most prosperous. If you would compare the earnings of the people individually, the amount which it has cost them to live individually and strike a balance sheet at the end of the year, I believe that the people of this country, in point of income, until very recently, would have contrasted most favorably with the average of the people of the United States. I believe that the industry of our people and even the hardness of the climate and the vigor of constitution which it produces have given us ability to overcome the disadvantages which are natural to our country. Those who went before us, those men whose statesmanship led the public mind, and who sought the best course to be pursued in developing those great provinces, were wise, and we owe them a deep debt of gratitude for the policy which they pursued in the past. To them we owe the development of the great natural resources with which Providence has so abundantly blessed us. It is to them that we owe the develop

ment of all our mineral and agricultural resources; of our fisheries, of our inland navigation and ocean traffic, of our shipbuilding interest, and of the carrying trade with various nations, and it is in these that the glory of our provinces consisst. I believe, that if ever a country has had success in that direction, it has been this land, and to tell me that we are to sweep all this aside, and take up a few petty manufactures, that you cannot carry on successfully in this country, is the greatest madness that the people could be guilty of.

Hon. Mr. CAMPBELL—Hear, hear.

Hon. Mr. BROWN—Does the hon. gentleman say "no"?

Hon. Mr. CAMPBELL—I was merely laughing at the hon. gentleman's excitement.

Hon. Mr. BROWN—It is no wonder that I am excited. It is a matter to cause excitement. The hon. gentleman says that this is a mere experiment, and he says "let us make a trial of it at all events." Hon. gentlemen, you may make a trial in some things, but you cannot in such a matter as this. The United States tell the tale of making such experiments. There are many among us who remember the time when they raised the tariff from 12½ to 15 per cent., and that was to have been the end of it. They said that nothing more could possibly be wanted. How could we have believed that they would have landed at last into the tariff of 60 per cent. that they have now? The fact of the matter is, nothing more dangerous could be introduced into our political system. The moment the Government and the Legislature, of the country take it upon themselves to say that they will control the industries of the country, and take money out of the pockets of one class of the people to put it into the pockets of another class, that moment you band them together against the public interest and endow them with wealth to be used against the interests of the people in general. It has been so in the United States; it has been the curse of the United States; and at a moment when the thing is entirely coming to an end—when they themselves are becoming so sick of it that in all probability you will soon see a great change in that respect, when they are beginning to throw away the delusions of the past, we are take up their old clothes and wearing them. The past policy of these provinces has been to make living cheap, to make our people frugal in their habits, to make them self-reliant, to show them that they must depend upon themselves and their own hard work, for their living, and not upon the Government. What has been the result in other countries? I shall not name those countries. Every one knows that from the day the people of those nations leave their cradle, they expect to be fed by the Government. There is no worse thing that can befall any country than to adopt such a system. Heretofore we thought we had a self-reliant people, but they are ceasing to be so any longer. In a time of great public and financial depression, what do you find? Look at the hotels crowded to the doors; look at the halls of Parliament crowded with people, seeking to have their particular trade fostered with 10, 20, even 35 per cent. duties, to keep them in existence. Is that a wise system? Is it well to tell the people that we shall adopt that system? If you assume such a position as that, how in the world can we hope to meet the demands of the different classes and adjust them in a way which would be fair, even if it were possible? Another thing we have taught our people has been to maintain kindly relations with all foreign nations. I believe it is as sound a principle as can be taught, that the best trade a country can do is a foreign trade, and the best industries which can be carried on amongst us are those which will enable us to send our products abroad and sell them at the largest profit. Wherever our merchants and manufacturers can get the best markets, they should endeavour to look for them, instead of hoping to live like rats in a pit, fighting to tear the bit from each others mouths. We have been taught to believe that it is a correct principle—and I do believe it is the correct principle—that every nation should do that which is best for its own interest.

Hon. Gentlemen—Hear, hear.

Hon. Mr. BROWN.—Hon. gentlemen

say "hear, hear :" I am prepared to take that ground, and so is every free-trader. Now, I am told that the policy of the United States is to protect themselves. I take no exception to that. They can look after themselves if they please, but nothing could be more absurd than for a little province of four millions of people to rise up and say to fifty millions, "you have done us a wrong, you should have done this or that." We know what they are looking after. They may talk as they like, and they may say they do not want to annex this country, but no one who has come in contact with the leading men of the Republic for years past can fail to recognize that there is nothing they desire more heartily than the annexation of the Dominion to their country. And, I ask, is the adoption of this policy the way to keep ourselves from such a destiny?

Hon. Gentlemen—Yes.

Hon. Mr. BROWN—Well, I will show hon. gentlemen where we will land if we follow such a policy. Are we to tell our neighbors that because they will not do what we want them, because they will not take off certain duties which they have imposed, that we will fight them—that we will impose certain duties on them, whether we prosper under them or not? I think that is a very extraordinary position to take. My hon. friend did not take it to-day, but his colleagues have done so, and his party have done so. Their cry has been "Canada for the Canadians ; let us keep out the Yankees." No doubt, that in a great measure helped to carry the elections, but anything more unreasonable or absurd could hardly be conceived. Let us take another case. We are complaining of the United States, because they do not take our articles at the rate of duty that we think they should. But what are we doing with respect to England? England buys all our goods, and not a single sixpence has she taken from our pockets in duty. Many of our exports go there, and everything we send them is taken. We say that we have a perfect right to put duties on imports from the Mother Country. If we use the argument of retaliation against the United States, how can we expect that it shall not be used ten-fold more by England against us? It is only a very few years since these provinces have been bound together in a great union. We came together undertaking to form a great nation on the northern half of this continent. We have gone on so far successfully. Notwithstanding the few drawbacks that we have had, I think the union has been a most happy one, and I apprehend that if you were to take a poll from one end of the Dominion to the other, you would get a vote that would completely annihilate any opposition to Confederation. We have already been cultivating our natural products. We did not think it was necessary to foster a few manufactories, or to make one set of people rich at the expense of all the rest. We have been treating all in the same manner, and, as my hon. friend said just now, giving incidental protection as we went along.

Hon. Gentlemen—Hear, hear.

Hon. Mr. BROWN—Well, I think even that was a very bad thing to do ; it would have been far better if we had adopted the English system, that is, selected certain articles on which to collect a great proportion of our revenue. It would be a great deal better than to restrict the trade of the country by imposing taxes on every conceivable thing, as is proposed by this tariff. This is the system that we have pursued, and I say that no one can look at the amount of business that we have done collectively, and the great increase of our commerce since we have been united, without coming to the conclusion that it has been most satisfactory. It is very true that in the last two or three years there has been a diminution of our business ; but is that permanent? No one believes that it is. It is due, not so much to the quantity of goods exported and imported, as to the fact that values have been reduced. I believe if calculations were made on weight or quantity instead of value, it would be found that our trade has not been reduced at all. Nothing can be more satisfactory to anybody who will examine them than the returns of our imports and exports. Nothing will show more clearly the thorough soundness of our commercial system ; nothing will show more clearly that our people possess the

means of living comfortably and carrying on a prosperous business. The lumber trade is not in that state in which we would all desire to see it. That is most unfortunate, because it was one of the grandest branches of our natural industries, but I think that the day is not far off when we will see a change in that trade, and then this talk about a $2,000,000 deficit will disappear altogether from the stage. There is one fact that ought never to be kept out of our minds with regard to the natural products of the country, and it is this : you must not take the values that are given in the returns of exports. They are taken at their value on the farm, at the mill, or at the mine, or, at all events, at the first point where they come to the front of the Dominion. You must recollect that not only does the farmer get a capital living for himself, stock and improve his farm, and educate his children, but the moment the produce leaves his farm, it furnishes employment to merchants, railroads and ships. It increases in value as it passes along, replenishing the coffers of every industry in the country in a way that no manufactured goods would do, if they were ten fold what they are now. At Chicago, a bushel of wheat costs $1.00 ; at Buffalo, $1.15 ; at Oswego, $1.20 ; at New York, $1.40 ; and in England, $2. Now, mark what you propose to do. You propose to tax this great industry, to pile up the taxes in every way upon the natural industries of the country, and to diminish the profits of the producers ; never was there a greater folly. I could understand if the hon. gentleman had taken up our industries, and said : "We will cheapen your expense of sending your manufactured goods to foreign markets ; and let you work on that foundation, but we will not put taxes on the rest of the people for your benefit." I can understand them saying to the fishing interest, —"We will fill up your rivers with fish, we will give you everything you can possibly desire. We will build wharves for your vessels. Tell us what we can do in that way and we will help you." You might tell them. "You will have trains put on our public railroads, to run all over the country, in order to get the delicious fish of the Gulf of St. Lawrence delivered in every part of the Dominion." I can understand saying to such a great interest as the Londonderry works: "It is desirable that you should exist," but it would be far better to take the money and say, "Show us that you can manufacture profitably," and aid them directly, rather than tax the people, and make the expense of living dearer in order to keep them in existence. I can understand your going to the coal pits and saying—"are you seeking a larger market," and sending agents to other countries to ascertain if 'coal could not be exported to them, and even putting on lines of ships in order to enable them to get to market.

Hon. gentlemen—Hear, hear !

Hon. Mr. BROWN—Although I say this, I am not a protectionist. I do not believe that protection is necessary, but it would be infinitely better to do this than to tax the whole people for the benefit of a few.

Hon. Mr. CAMPBELL—Could any one fancy the Government having the support of my hon. friend for a scheme of that kind ?

Hon. Mr. BROWN—I can say this to my hon. friend : if he could put it as a choice of evils, I would take that before the other. Talk to me about the sugar industry and making refined sugar in this country : because our American neighbours put on a bounty, tell me that you must protect Peter Redpath. It seems to me most absurd. Mr. Redpath, they say, will make $500,000 a year out of the protection which he has received. He confesses that he will make $250,000 a year. I would have a committee to consider the question before I taxed the people for the sugar that goes into their tea and coffee.

Hon. Mr. CAMPBELL—Sugar is cheaper now than before.

Hon. Mr. BROWN—My hon. friend was answered on that point by the hon. Senator from Alma, (Mr. Penny). There is no doubt that sugar has fallen in price all over the world. My hon. friend says that this policy has been introduced at the right time, but I insist that it is the wrong time. I do say that to take up

these particular men and give them this opportunity of making large fortunes at the expense of the people is absurd. It would be better far to pension them.

Hon. Mr. DICKSON—Superannuate them.

Hon. Mr. BROWN—You cannot by any possibility enrich a country by putting taxes upon the people.

Hon. Mr. MACPHERSON— Can you pay bounties and pensions without taxing the people?

Hon. Mr. BROWN—No. I am speaking of a choice of evils. I do not commit myself to that, but I say that one would not be so bad as the other. You are going to have a whole army of tax-gatherers. If it is so desirable to build up new industries, on the Government be the responsibility, but it would be an infinately better thing if you were to give them a bounty rather than to have these taxes levied on the whole people. You cannot by any possibility make money by restricting our trade, and taxing the public. Suppose that in this room, we were to trade with each other and one were to sell to the other. Is it possible that we could make any more money by it? You have Canada for the Canadians; you shut out foreign articles; you put a Japanese wall all around the country; we will work for ourselves, and make everything we can—well, how much will you make? Will it be any more than you have got now? I do not know whether the hon. gentleman has heard the story that used to be told in the United States in the days of Clay and Webster when they were discussing these things. It is strange that we have not learned anything from the experience of other nations. We who have grown wealthy and prosperous, who are as free and as independent a people as you will find on the face of the earth, with all the experience of the past, are going to trample upon those principles and upon that policy under which we have grown so prosperous; and we are going to take up the new fangled notions which we all despised before. I will tell you the story to which I referred.

Hon. Mr. AIKINS—Is it the jack knife story?

Hon. Mr. BROWN—Yes.

Hon. Mr. RYAN—Dispense.

Hon. Mr. BROWN—It is not exactly the jack knife story. It is only the hat story. Four boys came together: one of them had a very nice hat, another boy asked: How much did you give for that hat? He replied "I gave $1 for it." The other said—"I will give for it $1.25." The exchange was made. Another boy said, "That is a very nice hat, I will give $1.50 for it." He got it at $1.50; the next boy paid $1.75, and it came back to the original owner for $2. They had all made 25 cents by the transaction, but, strange to say, there was but one hat and the same amount of money among them, and all the protection which you can put on will have the same effect. There will be only one hat and the same amount of money.

Hon. Mr. MACPHERSON—Suppose that the last boy was a foreigner and had taken the $2 out of the country?

Hon. Mr. BROWN—That would have been splendid. But suppose he had given us cotton at a low valuation, and sugar at New York prices, this would have been a splendid operation. Here we are, a prosperous country, and yet at the very first panic we are frightened. We have been for thirteen years together, and at the first touch of depression, we are frightened out of our wits at the state of our revenue, forsooth. What is the fact? We have passed through a crisis such as the world has not witnessed before. In other financial crises there was money to be had some place, but I wonder where there is a first class market now.

Hon. Mr. CHAPAIS—In France.

Hon. Mr. BROWN—That is the best, I dare say, but the depression is all over the world. I think that a great deal too much has been said about the deficit. I think it is not fair, or right, or generous to our country to spread it abroad that we are so covered with deficits, and that they are so frightful that we are likely to be borne down by them. I find, on examination, that the whole of the deficits put together amount to $2,300,000, over and

above the amount put into the Sinking Fund. Now, I say that this is not a startling exhibit. Are you to expect that with a depression prevailing all over the world, and with our interest increasing on our debt, and with very large obligations incurred, we will not feel the effects of the crisis? The greatest economy must have been exercised in the past or our revenue would not have met our expenditure within the sum of $2,300,000. I say that for the people, under such a passing emergency, to get frightened and rush into this new policy, seems to be the greatest madness that the country could be guilty of. Is there any new thing that we want? Could we have a more prosperous condition of affairs? It is a most remarkable fact—I do not know how it is in other Provinces, but this is the case in Ontario—that the farming industry is in a sound and healthy state, and, in every way, a large portion of the people are in as comfortable circumstances as they were ever in. The price of living is low, rents are low, fuel is low, everything that a man of moderate means requires, is low. I believe that there is less suffering among that class than in any previous crisis; and is it in such a time as this that we are to rush into a policy that will tax all our people, in order that a few men may make money? I wish to show exactly, if I can, what effect this tariff will have, but I have not time to go into particulars now, but this far we must all agree—that the object is to get two millions more revenue. Of course the burden will be greater than that, because there will be a large increase of smuggling, and the prices which the people will have to pay for their home manufactured goods will be increased in proportion to the duties laid on. I hold in my hand a digest of the last census, taken from the official returns, and it gives the number of laborers in this country: I refer to all kinds of labor. There is one idea, and a most unfortunate one I think, which was started by the hon. gentlemen now on the Treasury Benches and their supporters in the last elections, and nothing was more to be regretted than this feature of the campaign—I allude to the appeal which was made to the workingmen as a class in opposition to the rest of the community. Heretofore, we have been all proud to acknowledge ourselves workingmen. I believe it is not those who work with their hands that are the hardest workers amongst us. If you take the gentlemen in this room, and ascertain the number of hours that they spent consuming the midnight oil, to rise to the positions of eminence which they now occupy, it will be found that no mechanics or laborers could compare with them in the number of hours that they spent in work, and yet these gentlemen who are now in power, went to the polls and pleaded the cause of the workingmen, and got up grand testimonials, which are not paid for yet, and had them presented in the name of the workingmen, who professed to have prepared them for the purpose. I should like to know the way in which the working men werere treated as a class, and wheedled into the unfortunate record which they made on the 17th of September. Societies were got up specially to catch their votes. U E. working men's associations were established, and copying the Orange programme, they had a president, a vice-president, a secretary and a tyler, who stands at the door, and each of them—and there are many of them in existence now in Upper Canada—requires every one of its members to swear that he will give his vote to the choice of the majority. Anything more unfortunate for a country, and done by members of a Government, cannot, in my opinion be imagined. It is told how the tyler stands at the door, and how the pass-word is given. I suppose my hon. friend has gone through it often.

Hon. Mr. CAMPBELL—I am now hearing of it for the first time.

Hon. Mr. BROWN—If the hon. gentleman had asked his leader, he would have found out from him how it was. If he would ask the hon. Senator for Saugeen, he could tell him something about it.

Hon. Mr. MACPHERSON—I state publicly that I do not know anything about it. The working-men have been only following the hon. gentleman at a very humble distance in their organization.

Hon. Mr. McLELAN—The hon. Senator from Lambton seems to be quite familiar with it himself.

Hon. Mr. BROWN—I have a list of public men who are members of that association.

Hon. Mr. RYAN—What association do you refer to?

Hon. Mr. BROWN—The Workingmen's Association of Upper Canada—all taking an oath that they will vote for a Conservative candidate.

Hon. Mr. CAMPBELL—Their principles are sound at anyrate.

Hon. Mr. MACPHERSON—It shows their intelligence.

Hon. Mr. BROWN—The organization is all over Upper Canada, and if you will take the trouble to enquire of the members of the House they will tell you something about it.

Hon. Mr. CHAPAIS—It is nowhere in the country parts of the Province of Quebec.

Hon. Mr. BROWN—I can assure my hon. friend that it is in Ontario. This is the first time that the workingmen have been brought out as a separate class and made to stand in antagonism to the rest of the community, and nothing could be more unfortunate than to place them in such a position. For a Conservative Government to do such a thing is deeply to be regretted, and I think the hon. gentleman himself, (Mr. Campbell), would, perhaps, be the very first to observe the effect of it. With the old settlers in Ontario, there is no fear of any damage being done; but with the immigrants now coming from Europe, with all their notions of a privileged class, and regarding the capitalists with the greatest antagonism and possibly hatred, and going into these associations and delivering speeches and using language which they learned in Europe—all these are circumstances to give us great apprehension for the prosperity of thie country. I wish to show how this Dominion is divided, and how little at best—supposing all that the protectionists alleged to be true—a portion of the population can be benefited by the protection you propose to put on. There are altogether 1,009,848 persons in this Dominion engaged in industrial pursuits. These are classified as follows: public officials, 6,938. We will all admit that they will have to pay more taxes, and also that they will not be much benefited. If we increase the burdens upon the people, there will be less willingness to be liberal towards them. Lawyers and notaries 3,620. It cannot certainly help them. Clergymen, teachers, etc., 31,529. There is no way by which you can help them by taxation. Business employees, 38,427; merchants, bookkeepers and traders, 31,160. You cannot benefit them but you may injure them. Railway express, and telegraph employes, 3,677. You cannot help them.

Hon. Mr. CAMPBELL—We were told the other day that the Grand Trunk Railway alone had 8,000 employes.

Hon. Mr. BROWN—That only increases the force of my argument. It shows that the class is larger than is set down in the census. Laborers, 51,688; all these aggregate 166,045; bakers, butchers, cabmen, 15,703; bricklayers, plasterers, carpenters, joiners, masons, painters, and glazers, 53,376. These all sell their labor; they do not deal in any article, and, therefore, cannot be protected. Mariners, boat-builders, etc., 32,789; fishermen, 18,362.

Hon. Mr. CAMPBELL—There must be more mariners and sailors than the hon. gentleman supposes.

Hon. Mr. BROWN—My figures are taken from the census returns. Lumberers, 11,670. Of all these classes, which cannot be aided in the least by protection, there are 127,900, and there are farmers, gardeners and laborers, 604,288. Thus, we have altogether, 892,233 of our population who not only receive no protection, but will have to pay dearer for everything they use.

Hon. Mr. KAULBACH—We contend that high duties will bring down prices.

Hon. Mr. BROWN—I will deal with that presently, and I am prepared to show that the cure is worse than the disease. Out of 1,009,000 there are 117,615 who

can possibly be benefited by this tariff, but many of these—such as printers, bookbinders, and a great many other kinds of manufacturers—cannot possibly be protected; and deducting these there are not more than 93,115 out of the whole of our population who can possibly be benefited. Remember, it is not 93,000 employers; it is 93,000 persons, including employers and workmen. How many employers will there be among the 93,000? Is it possible that there can be more than 1,000 employers who will be benefitted by this high tariff? You cannot say that the employes are to be benefited by it. The world is so knitted together with cables, newspapers and means of communication that you cannot protect labor. The moment the price of labor increases, laborers will flock in from other countries. Look what took place the other day, and what we read about this very morning. A telegram comes to us from Manitoba that the contractors on the Pacific Railway, who had been paying $2.00 a day, finding that laborers were abundant, decided to pay only $1.50, and then these men struck. The Government brought their troops to protect the contractors. There is no protection for the laborers there. The protection is for the other side, and I think the Government is perfectly right. I have always sustained them in maintaining peace under all circumstances, and always shall. But it is absurd to go to the polls and tell the people that this protection would do them any good. You will see that the next move before long will be to reduce wages to $1.00 and from that to 75 cents a day, for laborers working on these contracts. You will have thousands and tens of thousands of people from the United States crowding in there, only too happy to get an opportunity to work, even at that price. You talk about bringing over English, Scotch, and Irish emigrants to build this road. And I say further, you cannot keep out the Chinese, or the Americans or any class. Free trade must be the doctrine with regard to all labor, and I hope it always will be. Go to the city of Toronto now, and pick out the men who can possibly be benefited by it, and you will find that they are men who have become rich and prosperous by their talent, energy, industry, and intelligence, and who deserve prosperity. They have done so well that they should be ashamed to come to Parliament and ask for assistance. I know one of those who has been loudest in asking for protection. He started with nothing. He sustained great misfortunes, but, with a noble heroism rose superior, to them. I know that his firm has made a fortune every year—a fortune that would be satisfactory for any member of this House—for very many years until the other day. Yet, no sooner does he feel the effect of the depression, than down he comes to the Legislature; to demand what? That his men shall get higher wages? No; but that he shall get all his men to put their hands into their pockets and help him to keep them in employment, that he may live in opulence. I do not understand the common-sense of the people that they do not reject such a proposition. I can understand in Germany, for instance, or in England, where there are immense industries, that if some great convulsion should occur, which would deprive the manufacturers of markets, they should resort to some such policy as this to meet the emergency; but I cannot understand why a country, which glories in natural products that are only half developed yet, should adopt a system which will tax the many for the benefit of the few. If any greater condemnation than another could be passed on the whole scheme of the Government, it is that my hon. friend makes no allusion to the grand project of colonizing the great North-West, and which I hope will be successful. Had my hon. friend submitted that project to-day in this House, in what keeping would it have been with this policy of protection? Not content with taking particular industries into their hands, and saying we will aid these, and they will help one another, they, in the benevolence of their hearts, are welcoming to the North-West the starving population of Europe. It is an absurd commentary upon the idea that you are going to protect our own people, and make them rich and happy by this tariff, when, at the very moment you bring it down, you are proposing a great scheme to bring hundreds of thousands of people from Europe to compete with our own population. It it absurd, after the record of the Conservative party on protection, and exclusion of English manufactures, to get

up a scheme which is intended to appeal in such a manner to John Bull's pocket. Can they expect that their appeal will have any effect upon the minds of the people in the Mother Country? It does appear to me the most contemptible way that ever a Government tried to delude a people. But before long the public will see the mistake that has been made, and endeavor to change their course. I believe there are intimations of that now. What I wish to say is this—recollect that there must be disappointment in what has been held out even to the manufacturers. There must be disappoiniment to the working man. He must pay additional taxes and he cannot get a sixpence more for his labor. You have seen how wages have fallen from $2 to 75 cents a day, and how the military has been called out to keep the peace. But my hon. friend from Lunenburg says that manufactures will soon be cheaper. That may be true in some cases ; it will not be true in others. No doubt, the first effect of this will be that every manufacturer will try to get up his prices as soon as he can. Large quantities of goods have been imported into the country in anticipation of the change of tariff, and it will be a good while before they are all sold off. There is very little benefit to be derived from a rising market; you get it very promptly in a falling market. But the sooner it comes the sooner will that change come about of which the hon. gentleman speaks —that is, that men will rush into manufacturing, caught by the profits which appear to be gained from it ; the competition will be extreme, the markets will be glutted, and prices will be cut down.

Hon. Mr. READ—Who will get the benefit ?

Hon. Mr. KAULBACH—The consumer.

Hon. Mr. BROWN—The hon. gentleman says that the country will benefit by it. I fancy that the Government will not stand up and say that they want the country to be benefited by the ruin of the manufacturers. If you want to see the effects of such competition go to the New England States. If you want to purchase cotton mills, woollen mills, iron works, or any kind of manufacturing establishment, you can get them for ten cents in the dollar. The moment you give undue protection, that moment you stimulate extreme competition, and down go the prices. We all know that such a state of affairs cannot continue. We cannot sell below cost ; the weakest must fail, and in the end a few establishments will be built up at the expense of all the rest. The small men fail, the large men buy up their factories and workshops for a song, monopolies are established, up go the prices, and people are so deterred by the example of those who have failed that they do not venture to compete with the monopolists.

Hon. Mr. KAULBACH—Has that been the experience of the United States?

Hon. Mr. BROWN—It has been in many cases, but the United States is a very wide and populous country compared with ours. We have no market like theirs. We have no lack of profitable avocations, of natural resources, or of skill and genius among our people, but we have so small a market of our own that in order to attain to great prosperity, and to increase our commerce, we must seek foreign markets and not confine ourselves stoour own. Our natural products place us in a most enviable position among the nations of the earth. When the manufacturers find this tariff a failure what will be the effect? Then will come the cry which is even now coming up. What mean Mr. Wallace's speeches and addresses —what mean those emissaries who are travelling through the country preaching an irredeemable currency? I tell you, just as soon as you find that your policy does not make the people rich, and just as soon as they find that they have not realized those promises and expectations which you held out to them, that moment you will have an agitation for an irredeemable currency.

Hon. Mr. SMITH—We will all join against that.

Hon. Mr. BROWN—I tell you that the Conservative party have put that out of your hands. There was a time when you could exercise some restraint, but you have got the ballot now and you will find that you cannot control such things. I defy any hon. gentleman to say that

he could stand up and deny the truth of what Mr. Wallace and others represent with regard to a paper currency. If the Conservative Party want good times, such as they told the people last September to expect, they have only to issue forty or fifty millions of irredeemable currency and build railways. Will any one say that such a policy will not make good times? No man can say so. For a short time everything would rise in value, and there would be plenty of money, but the end would soon come, and that end would be worse than the beginning. Just so sure as you carry out this policy—singling out special industries and protecting them at the expense of others—you will have an agitation for an irredeemable currency. There is but one hope for the country—the noble band of landowners, the farmers, who will rise up and resist it. You despise that industry now. You tell them you will put a tax of 7½ cents on corn, which they cannot grow, and 10 cents on oats, which it does not pay them to raise.

Hon. Mr. READ—You can grow oats.

Hon. Mr. BROWN—I can only say this: the farmer who raises oats has nothing better to raise.

Hon. Mr. CHAPAIS—It is a mistake.

Hon. Mr. BROWN—It is so with us. I appeal to my hon friend from Paris as to the average of oats per acre through the country by last census?

Hon. Mr. CHRISTIE—Thirty to forty bushels per acre.

Hon. Mr. BULL—It depends upon the part of the country.

Hon. Mr. BROWN—You put on ten cents per bushel. The average price per bushel for oats has been 28 or 29 cents.

Hon. Mr. AIKINS—I apprehend that you could not get them per car for that.

Hon. Mr. BROWN—I have been for years a large buyer, and I do not recollect ever paying over 33 cents per bushel for them by the car load. I am quite sure I am within bounds when I say that the average in Upper Canada has very few years risen above 35 cents. Take thirty bushels at 35 cents per bushel and what do you get? Ten or eleven dollars per acre. Can any man work a farm for that? You cannot do it! It is a mistake! It would be far better for him to keep it and have it eaten up on his own soil and make manure of it. It is a poor principle—an utter delusion to think that you are to benefit the farmer by tempting him to take his oats from his farm. The true interest of this country is agriculture, and the true basis of good farming is manure; and you can only get manure in this country, where other fertilizers are so dear by keeping as much stock as the farm will maintain. If we want to be prosperous in this country we must put our agriculture on a better footing than it is now, and we cannot do it by any better way than by cheapening the production of animals of all kinds, and enabling them to be taken at the lowest rates to the markets of the world. This new cattle trade to England is an era in the history of the country. If the Government were setting in earnest to try how they could aid that business and give facilities for carrying it on; if they would endeavor to show how new markets could be opened up for the produce of the country, and how lines of steamers could be established and built to accommodate that trade, and in many other other ways to develope it, some practical good would result from it. But to say to our farmers we will put a tax of 7½ cents on grain, 10 cents on oats and 20 cents upon things that never come into the country, 15 cents on barley, not a bushel of which comes here, and which we export largely—I say it is a delusion, and depend upon it the farmers will thoroughly understand it and laugh the thing to scorn. If you think you are buying men by that you are thoroughly mistaken. I had notes for a good deal more, but I think that I have had my fair share of the time at the disposal of the Senate. I suppose that there will be other occasions to speak on these questions, when, perhaps, we will all be able to meet upon a better platform than we can now. We must all admit that a change has come over the vision of the constituencies.

Hon. Mr. AIKINS—Wisely so.

Hon. Mr. BROWN—Others may think differently. I hope that the right may succeed, and that the good times will return. I shall not say a word that would prevent the protectionists having a full chance to show what they can do by their policy; but when they fail and are brought to account for it, they will have a serious task before them. One thing amongst others that I intended to have spoken of, and I should be sorry not to have it put before the House, is with reference to the United States. We are constantly told, "See how prosperous the United States are! See how they are paying off their debts, and coming out of their difficulties by protection! Look how they are sending their manufactures abroad; they are going to beat England and Germany in their own markets!" and all this sort of thing. In the American almanac of 1876-7, the exports of the United States are given at $676,115,818, for that year. Now, what I want to show is this: the policy that Canada has been pursuing was one to foster the natural products of the country. The United States is quoted in favor of a different policy—that is that they foster manufactures. Now, I want to show you how very small an element manufactures are in the prosperity of the United States. In the year that I have mentioned, I find that the exports have been composed of the following items:

Breadstuffs	$190,000,000
Cotton Wool	171,000,000
Furs	3,700,000
Wood	3,000,000
Gold and Silver	43,000,000
Petroleum and other Oils	43,500,000
Provisions	115,000,000
Seeds	3,500,000
Sugars	5,200,000
Tallow	7,800,000
Tobacco	32,000,000
Lumber and manufact'res of lum	18,500,000
Quicksilver	1,700,000
Turpentino	2,300,000
Rosin and Tar	2,400,000
Agricultural Implements	1,800,000
Live Animals	3,400,000
Coal	2,900,000
Hides and Skins	2,500,000
Hops	2,300,000

Of the whole amount of their exports in that year, those of natural products amounted to $584,000,000, while the exports of manufactures amounted to $91,000,000, and even of this there were large numbers of articles that did not at all come within the list of articles protected. Many of them were natural products slightly worked up, such as stone and things of that sort. From these facts you can come to no other conclusion than there are forty or fifty millions of dollars of the annual exports of the United States that receive protection, and the whole of their prosperity, has been caused by the development of their natural products of which we have so much and for which we do so little.

Hon. Mr. ALEXANDER—I rise to reply to the arguments of the hon. gentleman, (Mr. Brown), who has just taken his seat. The hon. gentlemen is, and has been for a quarter of a century, the head and dictator of the Reform party of this country. He was at one time acknowledged to be a power in the state. His press was, at one time, felt to be a species of terrorism to all whom he declared, in his opinion, to be evil doers; but that despotic power has ceased to coerce and mislead public sentiment. The verdict of the grand inquest on the last 17th September, is unmistakable evidence of that power being on the wane. But the hon. gentleman is of that type of gladiators who never acknowledge that a battle has been lost. In this instance, he says, the reverse is no proof of the change of public sentiment, but is to be ascribed to the misleading statements of his opponents. The people have been deceived. They have only been led astray by that great magician, Sir John Macdonald, who has only at any time to pass his wand over the different provinces of this Confederation, to sweep into his net a majority of the electors, who will follow and sustain him with unswerving loyalty. I do not hesitate to express it as my own opinion, that it would be a sad day for this Dominion when its prominent citizens failed to acknowledge, with pride and pleasure, the ability and statesmanship of the present First Minister of the Crown in Canada. His political opponents know well the influence he wields, both at home and abroad. They know that if this country should ever rise to become a great country, the present First Minister

will have the credit of having laid the foundations broad and wide. He, during the first five years of Confederation, with his colleagues, had enormous difficulties to encounter. They were at times threatened with a rupture of the Union; but they harmonized every discordant element. We all remember that the right hon. gentleman, (Sir John), was declared by the public men of England to be a statesman who would make his mark in any country. That opinion was entertained of him by the late Lord Palmerston, and the present Mr. Gladstone, as well as by the leading members of the British House of Commons. Such are the relative positions of the head of the present Government, and the head, if not the leader, of the present Opposition, whose opinions we have just had the privilege of listening to, and who has just challenged the wisdom of the new national policy of the present Administration. We all know that the hon. gentleman is the leader of the great free trade party, and we all know the verdict of this country upon that very question. The country has declared against the views and principles of the hon. gentleman's party. What is the past history of the Mackenzie-Cartwright Administration? We remember the miserable utterances of the member for Bothwell; we remember the utterances of the late Minister of Finance, and of the Premier of the late Administration. That whole party went on with a fixity of purpose to carry out their free trade theory, and what, under that policy, were the results? We found that the Americans had picked up in every direction our domestic and foreign trade, and had almost destroyed our native industries. The many utterances of the Brown party had palsied the hand of enterprise and industry, and darkened the cloud of depression that over-shadowed us until our horizon presented, more and more, visions of diminished commerce. We were gradually becoming more and more consumers of American goods, and all the wealth of our country was rapidly being drawn out of the Dominion until our people became alarmed, and on the 17th of September last, they rose in their might, and declared against that Administration and their free trade policy. The present Administration were placed in power to try the effect of an opposite policy—the policy of fostering all our domestic industries. I do not think it was seemly that the hon. gentlemen from Toronto (Mr. Brown), should leave this House immediately after delivering his speech, and not remain in this Chamber to hear the replies. The present Administration were placed in power to foster all our industries, and to carry out the policy which made Great Britain the wealthy and powerful nation she now is—that policy which has raised up the United States to the position she now occupies. That is the policy which the party, of which I am a humble member, believe, will build up this Dominion in spite of all the vagaries and special pleadings of the hon. gentleman to the contrary. No doubt the hon. Senator has a powerful mind, and is the proprietor of a powerful press, but I believe that he is laboring under a delusion. The national policy must, eventually, become a success if fairly tried, but a certain time must elapse in order to give it a fair trial. We feel sanguine that under the change of tariff all those workshops which have been closed in consequence of foreign competition will be re-opened, and that all the complaints amongst the poor, of the want of employment, will cease, and that our manufactories will again resound with the hum of busy industry. I cannot, when I look at the new tariff, but express my acquiesence in the broad views that have inspired it, and my respect, esteem and admiration of the talent and statesmanship of the Minister of Finance. The tariff has been framed not only with a view to revive our old industries, but to give them a larger development and expansion than they have ever had in the past. With the knowledge that we possess vast resources an abundance of coal and iron at a given point in Nova Scotia—the Minister of Finance has framed his policy to encourage the introduction of new industries, and we all earnestly trust that we shall yet see the manufacture of bar iron, steel rails, and many descriptions of hardware from our native ores. And, further, our tariff is calculated to encourage in every way manufactures of cotton, stone, and glassware, and many other articles which we have not hitherto made. To secure the success of these manufactures we must put forth extraordinary efforts, and we must endeavor to encourage the manufacturers and capitalists of Great Britain

and the United States to establish workshops in this Dominion. I believe that the hon. gentleman from Lambton, (Mr. Brown), may be conscientious in his advocacy of free trade views, but we know that differences of opinion prevail amongst the statesmen of all countries on this question. We find, if we look at the page of history, that the carrying into operation certain views, as in the United States and Great Britain, has led, on the one hand, to prosperity, and, on the other, to the evils to which I have already referred. The whole result of the policy of the Mackenzie-Cartwright Administration led to gloom and depression of trade. We must allow that a part of the commercial depression which existed here prevailed in other parts of the world, but there can be no doubt that the depression was increased in our country by the unfortunate policy of the late Administration. We found insolvencies on the increase, our workshops becoming one after another closed, our laboring classes unemployed, our monetary institutions sinking into a weaker and more unsound condition, until a general despair ensued. Yet all these evidences of the result of an unwise policy have failed to impress the mind of the hon. gentleman from Lambton (Mr. Brown), and he does not remain even to hear the arguments on the other side, because nothing will change his mind, nothing will alter his mistaken course, which he has followed for many years. Without wishing to judge the hon. gentleman uncharitably, I believe that whatever policy the present Administration would bring before the country, he would consider it his duty, as head of his party, to bring all his powers of special pleading in opposition to it. I trust that the two branches of the Legislature and the whole country will unite in showing their confidence in the wisdom of the policy of the present Government, and in a few years I trust that we shall see those happy results which are now anticipated by men of more ability than myself

Hon. Mr. DICKEY.—When I came into the Chamber to-day I had no intention of occupying the time of the House and no preparation, nor have I now, except that of answering on the spur of the moment the inflammatory appeal which has been made to us by the hon. member for Lambton. The question before the House is one of very grave moment, and it would have been more becoming had it been treated with a gravity suited to the occasion. The hon. Senator's speech was permeated from beginning to end with party politics, and the hon. gentleman is so blinded by the one-sided view which he has of this question, that he seems to be incapable of perceiving the principle which the hon. gentleman laid down in moving this Bill. He seemed to take it for granted that the hon. Receiver-General had abandoned all the previous history of the Administration and had put this Bill upon the table of the House simply as a revenue measure. The hon. gentleman should surely know that this measure in its aspects is partly revenue and partly protective. It is a measure to carry into effect the policy which has been adopted by the people of this country, and which the Government are therefore bound to carry out by placing a higher taxation upon those importations which the country is able to produce, and lowering the duties on such articles as the country is not able to produce. It is a readjustment of the tariff and an increase of revenue for the simple reason that there is a deficit which the country has to provide for, and that deficit is mainly caused by the Administration that preceded the present Government.

Hon. Mr. WARK—How does the hon. gentleman prove that?

Hon. Mr. DICKEY—I will prove it by the facts. It is scarcely worth while to argue the matter with the hon. gentleman, but the deficit itself proves the fact that the Government have to increase the revenue by some two millions of dollars.

Hon. Mr. WARK—Who rendered that expenditure necessary?

Hon. Mr. DICKEY—The late Government. The expenditures they incurred required a greater revenue than was produced by their fiscal policy, and consequently there was a deficit. While the policy of the Government naturally produced that result, the great complaint of the people of this country, and the main cause of the opposition to that Ministry was, that they would make no effort to satisy the people of this country, or to change their policy,

so as to better the condition of home industries, without increasing the burthens of the people, by simply placing a higher duty upon such articles as required to be protected in this country. That is the reason why the Government fell into disrepute, and it is not correct to say, as my hon. friend has stated, that the country was captivated by the eloquence of stump orators. The verdict of the people at the polls was, to a large extent, an answer to his campaign addresses to the electors upon this subject. I think it is hardly worth while importing these picnic speeches into the debate; but I consider that the people who went around addressing the constituencies on the policy of protection, were rather following than leading, the opinions of the electors. There had been a change of sentiment throughout the country, and the pressure was more from the people themselves, than from those who addressed them. If the orators had not willing audiences, and if they had not touched a sympathetic chord in the breasts of the people, they would not have been listened to, and their words would have had but little effect; but it was because the great public sentiment of the people had turned in that direction, that they got a hearing. The hon. gentleman from Alma has said, that this Bill produces a revolution. My hon. friend must know that the great political revolution took place on the 17th of September last, and that this new tariff is but the sequence of that revolution. Looking back over the history of this country we find that ever since the year 1858, and certainly since Confederation became a fact, we have had to some extent a protective tariff. My hon. friend from Lambton says he would readjust the tariff in this way: he would have the revenue raised upon a few specific articles such as are included in the customs tariff of England. My hon. friend must know that the whole customs revenue of England is raised upon some eighteen or twenty articles, and he now for the first time announces this as the policy for the people of this country. He ought to tell us upon what specific articles he proposes this revenue should be raised? Does he not know that when he was a member of the Government of this country his Administration brought in a tariff upon hundreds of articles that were imported? This has been the policy of this country ever since, because the fiscal policy of England is not adapted to the circumstances of a young country like Canada. I must say that it struck me as being very remarkable that the hon. gentleman who is so desirous to be considered a leader of the public opinion of this country, was not prepared to give us a substitute for the taxation proposed by this Bill. He will admit that the public credit must be preserved at all hazards; that in order to do so, the revenue should be increased, and when he comes here to condemn the policy of the Government he should be prepared to instruct us as to the proper policy to be adopted, yet the only substitute he proposes is, that we should come down to a tariff upon a few specified articles.

Hon. Mr. BROWN—I had no idea that that should be done now; that was a policy spoken of incidentally.

Hon. Mr. DICKEY—I am very glad the hon, gentleman repudiates his bantling, but what is he going to substitute for it? When he comes forward to oppose this Bill, surely he ought to be prepared to suggest another in its place. My hon. friend has still further attempted to con fuse this matter, in his desire to make a point against the Government by dragging in the Supplementary Estimates. He says that the Government, not satisfied with all the taxation they are prepared to impose upon the people, have actually brought down estimates that will increase that burden a quarter of a million dollars more. Does not my hon. friend know that supplementary estimates have existed under his own Government, and under every other government? It is only an attempt on his part to confuse our attention by importing them into this discussion, with which they have nothing to do. The hon. gentleman has also thought it becoming to sneer at what he calls "the petty manufactures of this country." He is gracious enough to acknowledge that the lumber trade is one of the grandest industries of the country, but he passes a sweeping condemnation upon what he calls "petty manufactures." In the meantime he is good enough to say that the mineral resources of this country should be attended to

and carefully developed. That is part of the policy of the Government embodied in the Bill before us, which proposes to give protection to the coal and iron industries that lie at the foundation of the prosperity of Great Britain, and which, I trust, will become the foundation of equal prosperity in this country. We find that the stimulus given to the coal industry by this increased duty has already led to arrangements for exporting from Nova Scotia to the Province of Ontario some eighty thousand tons of coal, and thus keeping down the price of American coal.

Hon. Mr. CAMPBELL—Hear, hear.

Hon. Mr. DICKEY—That is a single fact which I will venture to place before my hon. friend, and ask him if he does not consider that is one of the results, and has something to do with the reasons for supporting this change of policy? If the hon. gentleman looks at the iron industries of the country he will find that they are in active progress, and a stimulus has been given to them that will in time produce good fruits. The hon. gentleman was not satisfied with attacking the manufacturers, but has a sneer against the laboring classes also. He has denounced the laborers' associations in Ontario, and with a singular inconsistency he is prepared to show any amount of sympathy for the strikers on the public works in Manitoba. He has a good word for them; he regrets that their wages are to be reduced, while he has no sympathy for the peaceable, law-abiding laborers of Ontario. The hon. Senator has, however, announced a principle here to which we can all subscribe. He says that every nation is the best judge of what is for its own interests. In that principle I cordially concur, and it is because that is the conviction of the people of this country also, that we have the Bill that is now before the House. The people of this country are an intelligent people; they have seen the results of a protective policy in France and the United States. We all know that after the desolating war of 1870 and 1871, France continued her protective policy, and the result was she arose, like the phœnix from its ashes, paid off milliards of her debt, and, in a few short years, became richer and more flourishing than ever. The United States have had the same experience. Since the civil war, through which they passed fifteen years ago, they have paid off hundreds of millions of the public debt, simply by adhering to their protective policy. Is it for us to say, under such circumstances that a protective policy is a ruinous one? The hon. gentleman has brought an almanac here, from which he has analyzed the exports of the United States, and has informed us, that of all the hundreds of millions of exports from that country, only ninety-three millions of dollars were manufactures which were protected. Surely the hon. gentleman must recollect that the enormous amount of agricultural products, lumber, and other articles, that form so large a proportion of those exports, are all protected by the United States tariff equally with the manufactures, and the result is the enormous increase of exports and diminished imports. The hon. gentleman has said very little about coal and iron, and all his argumemts go to show that there is a necessity for developing those resources; but he has a fling at the sugar industry. He imports Mr. Peter Redpath into this discussion, and asks if we are going to legislate to make Mr. Redpath a millionaire by taxing the people of this country? He must know that the late policy, with regard to sugar, had the effect of crushing the life out of our refineries. We had no advantage—not even the advantage of the carrying trade—and our ships were lying idle, while raw sugar was being brought from the West Indies to New York and Boston, refined at those places, and distributed by rail over this country. We have now a policy which will enable the raw sugar to be brought to this country and manufactured here, and, fortunately, the experience of the past month or two has proved that it can be sold here for a lower rate than we were obliged to pay when we had to contribute to the manufacturers of a foreign country.

Hon. Mr. POWER—How is that going to happen?

Hon. Mr. DICKEY—I think my hon. friend knows perfectly well how it is going to happen, and I should be paying a poor compliment to his understanding, coming as he does from Halifax, if I thought he

did not know how, under the late policy, it was impossible to establish sugar refining as an industry at that city; how, under the present policy, we are going to have a refinery in Halifax, and I hope at St. John, St. Andrews, and at other places where we have the facilities for such manufactures, and the lumber and fish to furnish freight for vessels proceeding to the West Indies for supplies of raw sugar. We know that the effect of establishing refineries will be to consume enormous quantities of the coal of Nova Scotia.

Hon. Mr. POWER—I understood the hon. gentleman to say that under the new tariff we should have sugar cheaper than under the former one.

Hon. Mr. DICKEY—In point of fact within the last month or two, instead of refined sugar being increased in price it has been diminished. I am not going to argue now what will be the effect hereafter, but I have a very strong opinion that it is not going to increase the price of sugar. The hon. gentleman from Lambton had also a fling at the national currency. I am not standing up here to defend the rag baby, but I have to remind him that the national currency, as a matter of agitation, was never heard of until the policy of the late Government produced the depression which led the people to cast about in their extremity for some remedy for the evil. This question never assumed any importance in this country until the last five years that his friends were in power, and if he thinks he can derive any benefit from this argument he is welcome to it. The hon. gentleman says the true basis of prosperity in this country is agriculture. I quite agree with him that it is one of the very strongest bases of prosperity, but what I complain of is this: he seems incapable of understanding why it is that agriculture will be more prosperous if the country generally is more prosperous; why, if our manufacturers are prosperous the agriculturists will be greatly benefited. The effect of this policy will be to increase manufactures, and surely that is for the benefit of the farmer, who finds his best market at his own door for his produce, by which he is enabled to pay more readily any increased charge for his goods. It is a question of action and reaction: although it may bring money into the pockets of the manufacturers, that result is divided amongst other members of the community also. For example, my hon. friend has read an array of figures to show how many different classes of people there are in this country, and after analyzing them he finds after all that there are only a thousand people in the whole Dominion who are going to be benefited by protection.

Hon. Mr. BROWN—Not a thousand.

Hon. Mr. DICKEY—My hon. friend must take an exceedingly narrow view of this question. Supposing there were only a thousand manufactories—and that is giving a very contracted view of the case—and those manufactories in full blast gave employment to hundreds of thousands of men, those men are consumers of dutiable articles, and they have the means to pay their debts to the merchants of the country, will the hon. gentleman say that nobody is interested in this question but the thousand manufacturers? The hon. gentleman eliminates from the comparison he has made almost every industry and says it is impossible they can get any benefit from protection except the thousand manufacturers he has referred to. I confess I am incapable of viewing it in that light. I think it is better to take a broader view of the question and look at it in its general results instead of narrowing it down to one class of people. My hon. friend from Montreal has taken a singular view of this matter. His speech consisted, in a great measure of the ennunciation of theories. He says that the effect of this must be to increase prices and make things dearer. He does not say what the result has been, but he insists on his theories, that it must be so and so. When he is reminded, for instance, that coal is no dearer, but, in point of fact, is a trifle cheaper, as the Grand Trunk Railway contract will show; he insists that it cannot be so because it is contrary to theory. We have had enough of theory in this country; it is time we should look to the facts of history, and to the facts we have before us to day. The bugbear is thrown at the people of the Maritime Provinces, that they will have

to pay more for their flour, when every man knows that it is not going to advance the price of flour one cent, because the lower provinces now get their flour from Ontario, except one extreme point where it is more convenient to trade with Boston. The hon. gentleman brings forward his theories and says that protection must eventually make things dear. Has that been the result of protection in the United States? On the contrary, competition has resulted in making manufactures cheaper there for the last five years than formerly. Theories are all very well, but an ounce of fact is better than a pound of theory in this as in other matters. The effect of encouraging manufactures is to produce more competition; and, consequently, greater skill, and improved machinery are brought to bear in order to reduce the cost of production, and lower prices. You then get the benefit of the law of competition, the effect of which, in the United States, has enabled the manufacturers in that country to send their goods across the Atlantic, and compete successfully with English manufacturers in their own markets, as well as in the markets of the world. My hon. friend says that a revenue tariff and a protective tariff cannot coincide. I think it is only necessary to take a very short view of the matter to see that the two are quite compatible. The idea of this measure is to readjust the tariff in such a way as to make it bear most heavily on foreign manufactures that can be produced in our own country, and less heavily on articles that we cannot produce. This system produces revenue, and while it produces revenue, it protects the industries of the country, and in that way a revenue and protection, which I think it ought to be more properly called, run together, and the result is that the industries are fostered, manufacturers get the benefit, and the general result is advantageous to the Dominion. My hon. friend says that the policy of the Government one way or the other has nothing to do with this. Then why should we make any bother about this tariff if it is to have no result? If the policy is not to help the struggling industries of the country why should we object to it, because then it becomes a mere question of revenue? It is admitted that the revenue must be raised, and whether you raise it on one article or another it must be paid by the people.

Hon. Mr. PENNY—If you put such high duties on foreign manufactures as to keep them out of the country how are you going to get a revenue?

Hon. Mr. DICKEY—The hon. gentleman answers his own argument, because if such articles are shut out, the duty is not paid and it is not worth quarrelling about. But the articles will then be manufactured in this country.

Hon. Mr. PENNY—That is why I say this is not a revenue policy if you shut out foreign manufactures.

Hon. Mr. DICKEY—The hon. gentleman may select a particular article to which it would apply, but he will find that the general result of this tariff must be an increased revenue. It is based on the idea that we shall raise two and a half millions of dollars more, and it is done on the principle I have already indicated. The effect of stimulating manufactures in this country is to reduce their cost.

Hon. Mr. CHRISTIE—After a time.

Hon. Mr. DICKEY—I am very glad that my hon. friend makes that admission, because you must have a little time to establish manufactures, but after you have as the result. increased prosperity in the country. We have been referred to the great free trade country of England as an example. The leader of the Government has quoted from Lord Salisbury's reply to the deputation from the Chambers of Commerce, which places the matter in a very clear light, and I think we cannot shut our eyes to the fact that there is a gradual and growing change in the opinions of the people of England upon this subject. It is well known that the Mother Country —that great nation who have produced such vast results in the civilization of the world—are slow to adopt any change. They committed themselves to the principles of free trade at a time when they had command of the markets of the world almost. They continued that policy until they now see, year after year, their imports increasing and their exports decreasing; they have

found the iron and steel manufactures of Belgium, and the cottons and woollens, and even the cutlery of the United States, competing with them in their own markets, although they were produced under that policy of protection which the hon. Senator says is going to be a ruinous one for this country. I have no doubt the time is coming when England will have to adopt a policy, if not like ours, one that will protect themselves to some extent. The hon. gentleman has told us the story of the jack-knife, and when my hon. friend the Secretary of State reminded him that it was an old story, he substituted a hat for the jack-knife. It makes no difference on which article the story originated, but, as the names of Clay and Webster are mixed up with it, he thinks it is going to settle the question. The United States adopted a protective policy thirty or forty years, and they have flourished under it, notwithstanding the story of the jack-knife. They have managed to sell the jack-knife—or the hat—to advantage. It has passed out of their hands into the hands of a foreigner, who, instead of $1.25, the original price, has paid two dollars for it, and the American has got the benefit. The hon. gentleman has introduced the name of Mr. Clay, but I shall give him an opportunity of comparing that statesman's views on protection with his own :

"My fixed purpose on this occasion has been to appeal to all gentlemen, and all political sides of this Chamber, to come out and make a sacrifice of all lesser differences in a patriotic, generous and general effort for the relief of their country. * * * * We have tried free trade; we have had free trade operating on more than half of our comforts for nine years. That will not do we see. Do let us recall the time when a protective policy was established, and we then had universal prosperity."

One would suppose that those words were prescient, and would apply to the present day. These were the sentiments of that great statesman, and they will be a text for my hon. friend. I hope he will take them to heart and follow the example of that great man who had been filled with the theories of free trade, but, finding his mistake, he at last made his recantation ; that he had tried free trade, had found it wanting, and now had only to fall back upon protection which alone would bring prosperity to the country.

Hon. Mr. Dickey.

Hon. Mr. MACPHERSON moved the adjournment of the debate.

The motion was agreed to.

BILLS INTRODUCED.

The following Bills from the Commons were introduced and read the first time :

Bill (105) "An Act further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion of Canada." (Hon. Mr. Aikins.)

Bill (81) "An Act respecting Official Arbitrators." (Hon. Mr. Dickey.)

Bill (106) "An Act respecting the safe keeping of dangerous lunatics in the North-West Territories." (Hon. Mr. Campbell.)

Bill (49) "An Act to amend so much of Act thirty-third Victoria, chapter forty-six, as relates to the imposition and collection of dues and tolls upon logs, timber, pine, cedar, and railway ties passing down the River Moira, through the port of Belleville. (Hon. Mr. Flint)

Bill (63) "An Act to grant certain powers to 'La Societe Permanente de Construction du District d' Iberville.'" (Hon. Mr. Bellerose.)

Bill (87) "An Act to amend and consolidate the laws relating to Weights and Measures." (Hon. Mr. Aikins.)

Bill (115) "An Act to continue in force for a limited time 'The Better Prevention of Crime Act, 1878.'" (Hon. Mr. Campbell.)

CONSOLIDATED BANK BILL.

FIRST AND SECOND READINGS.

The following Bill from the House of Commons was introduced and read the first time :

Bill (114) "An Act to make further provisions respecting 'The Consolidated Bank of Canada.'"

Hon. Mr. DICKSON moved the suspension of the 41st rule of the House, in so far as it related to this Bill, and that the Bill be read the second time presently.

The motion was agreed to, and the Bill was read the second time, and referred to Committee.

PRINCE EDWARD ISLAND COUNTY COURT JUDGES BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (110) "An Act respecting the salaries of County Court Judges of Prince Edward Island." He said this was a Bill to give the Judges of the County Court of Prince Edward Island the same salaries as other County Court Judges had.

Hon. Mr. POWER said it was to be regretted that the Government had not taken the House into their confidence more than they had, as to the reasons for introducing this measure. At first sight there seemed to be a certain amount of fairness in placing Prince Edward Island judges on the same footing as judges in other provinces, but, if equality was to be the rule, the same principle should apply to the Supreme Court judges of that Province. While the Chief Justice of the Supreme Court of Nova Scotia received $,000 a year, and the puisne judges $4,000 each, the Chief Justice of Prince Edward Island received but $3,000, and the puisne judges but $2,500 each. If this Bill went into effect the salaries of the County Court judges would be nearly equal to those of the judges of the Supreme Court. Supreme Court Judges were supposed to require higher qualifications than the judges of the inferior courts, and if it were thought proper that there should be a distinction between the salaries of County Court judges and Supreme Court judges in other provinces, that distinction should also be observed in Prince Edward Island, and this Bill should not pass until the Government introduced a measure to increase the salaries of the Supreme Court judges.

Hon. Mr. HAYTHORNE considered it was a proper thing that judges should be placed in such independent circumstances, that they would be enabled to take a position in society, and maintain their families respectably. For that reason he was rejoiced to see that it was the intention of the Government to increase the salaries of the County Court judges of Prince Edward Island, though he would have been better pleased if he had seen the salaries of the Supreme Court judges also increased, so as to put them on the same footing as the Supreme Court judges of other provinces. On this question he had been met with the reply, that the matter should have been brought before the former Government, but he was not aware that the Government had intended to make any increase in the salaries of the judges in Prince Edward Island or Nova Scotia. In his opinion there should be no difference in the salaries of those gentlemen and the judges of any other province, for they were not inferior in learning or legal attainments to any other judges in the Dominion of Canada; and further, though the Province was a small one, it did not follow that less important questions would come before the courts of Prince Edward Island than before the courts of larger provinces. A man's life, when he came to be tried for it, was just as valuable to him there as it was to a man under similar circumstances in Ontario, and it was just as important to have sound decisions upon commercial questions there as anywhere else. The representatives of Prince Edward Island had a right to expect from the Government a straightforward answer as to whether they would not, before another year, take steps towards increasing the salaries of the Supreme Court judges.

Hon. Mr. KAULBACH called attention to the inadequate remuneration received by the County Court Judge of Halifax. Strong representations had been made on his behalf, and he had been led to understand from the Government that it was owing to the fact that they did not intend to make any alteration in the salaries of other judges, that they had not provided for an increase in his salary. His duties were far more important than were those of the Supreme Court judges, and his claims should be considered.

Hon. Mr. CAMPBELL—What salary does he receive?

Hon. Mr. KAULBACH—Two thousand four hundred dollars a year.

Hon. Mr. MACPHERSON said he hoped that the Government would postpone all increases until next year.

Hon. Mr. HAYTHORNE wished to have an expression of opinion from the leader of the Government as to whether they would be prepared next session to bring down a measure to provide for the increase of the salary of the Supreme Court judges of Prince Edward Island.

Hon. Dr. ALMON said he would be very sorry if the salary of the *Ad hoc* judge, for the county of Halifax, should be increased, as he did not deserve it,from the way in which he had been appointed. He was the *ad hoc* judge appointed to try the petition againt the return of Mr. Jones, whose election had been objected to on the ground of intimidation and irregularities. He had presided at the poll, in ward No. 2, as the Returning Officer, and had recorded his vote and canvassed for Mr. Jones. In the trial of a contested election before the House of Commons, no person who had voted for either candidate was allowed to be on the committee. The same gentleman had also presided in the scrutiny in the election contest for Pictou County, as *ad hoc* judge. In that case Mr. Doull, who had been defeated by a majority of one, had petitioned against Mr. Dawson's return. Judge Johnston,in the face of the evidence, not only gave his verdict for Mr. Dawson, but declared that Mr. Doull's petition was frivolous and vexatious, and he was thereby obliged to pay $2,000.

Hon. Mr. CAMPBELL rose to a point of order; the salary of the Halifax judge not being in issue in this case at all.

Hon. Mr. KAULBACH contended that the hon. gentleman's speech was so irregular that it should not be permitted to go upon the record at all.

Hon. Mr. CAMPBELL, in reply to the question put to him by his hon. friend from Prince Edward Island, (Mr. Haythorne), said he could make no direct promise that the salaries of the Supreme Court judges of that Province would be increased next session, but he would bring the subject before the notice of the Minister of Justice.

The Bill was read the second time.

Hon. Mr. POWER gave notice that on the third reading of the Bill he would move the three months hoist.

MORNING SITTINGS.

MOTION.

Hon. Mr. CAMPBELL moved:

"That when the House adjourns this day, it do stand adjourned until Monday next, at eleven o'clock in the morning, such sitting to continue until one o'clock in the afternoon, unless the House be sooner adjourned, when the House shall stand adjourned until two o'clock in the afternoon, such sitting to continue until six o'clock in the afternoon, unless the House be sooner adjourned, when the House shall stand adjourned until eight o'clock in the evening; and that each of such sittings be considered a distinct sitting, and that all measures in charge of members of the Government shall have precedence."

The motion was agreed to.

The House adjourned at 6.15 p,m.

THE SENATE.

Monday, May 12th, 1879.

MORNING SESSION.

The SPEAKER took the chair at 11 a. m.

Prayers and routine proceedings.

THE DEBATES COMMITTEE.

MOTION.

Hon. Mr. CAMPBELL moved.

"That the Hon. Messrs. Brown, Dickey, Macpherson and Penny be discharged from any further attendance on the Select Committee appointed to enquire into the best means to be adopted to obtain correct reports of the Debates and Proceedings of the Senate, and for the pub-

lication of the same;—and that the Hon. Messrs. Botsford, Kaulbach, Macdonald and Haythorne be added to the said Committee."

He said he could hardly make this motion without expressing his regret at dispensing with the services of the gentlemen who had tendered their resignation. He thought the Committee had been so constituted that it would have been difficult to have selected gentlemen who could have better discharged the duties referred to them. It so happened that there were upon that Committee the only two gentlemen in the House who were supposed to be well acquainted with reporting and publishing. He would suggest also that Mr. Aikins should be appointed to the Committee.

Hon. Mr. AIKINS said he preferred not to go upon the Committee.

The motion was agreed to.

IBERVILLE BUILDING SOCIETY'S BILL.

SECOND READING.

Hon. Mr. BELLEROSE moved the second reading of Bill (63) "An Act to grant certain powers to La Societe de Construction du District d'Iberville."

The motion was agreed to and the Bill was referred to Committee.

THE NAVIGATION OF HUDSON'S BAY.

PROFESSOR BELL'S REPORT.

Hon. Mr. RYAN called attention to the fact that the report of Professor Bell on the Hudson's Bay route to the North-West was printed in the annual report of the Minister of the Interior, that had been brought down within the last few days. It was not necessary, therefore, that his motion to have it printed, should be passed.

COUNTY COURT JUDGES OF PRINCE EDWARD ISLAND BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (110) "An Act respecting the salaries of the County Court Judges of Prince Edward Island."

Hon. Mr. POWER moved in amendment that the Bill be not now read the third time, but that it be read the third time this day six months. The only argument urged in favor of this Bill was that the County Court Judges should be put on the same footing as the judges of other provinces. If that principle were sound, as applied to County Court Judges, it should also be sound when applied to the Judges of the Supreme Court. He thought that in the remuneration of judges as of other officers, the amount should bear some proportion to the work performed, and he ventured to state without any hesitation that the three judges in Prince Edward did not together perform nearly as much work as the Judge of the County Court of Halifax, who had been referred to the other day by the hon. gentleman from Lunenburg, and he thought it an exceedingly unfair thing when the Government had the salaries of County Court Judges under consideration, that they should increase those of men who had very little to do and overlook others who deserved increased remuneration. He considered that this matter could stand over until another session, until Parliament should have had an opportunity of discussing the question, and making an equitable allowance for all.

Hon. Mr. MILLER said he intended to support the Bill, because he considered it a move in the right direction—a move towards equalizing the salaries of the judges of the Lower Provinces, to those of other provinces such as Ontario. He could see no reason why a County Court judge, in the Maritime Provinces, should not receive as much salary as a County Court judge in Ontario. The qualifications required for a judge in Nova Scotia were just as high as elsewhere, and he could not see why they should not receive equal remuneration. He believed the County Court judges of Prince Edward Island performed as much work as any County Court judges in the Dominion; they had a larger jurisdiction, as they had to do work that, in Nova Scotia, was performed by magistrates. He did not think it was wise to thwart the Government when they were taking a step in the right direction. What had taken place in this House a few days previously, with-

regard to the judges of British Columbia, did not at all form a precedent for what they were asked to do now, because, on that occasion, they had had the unanimous support of the British Columbia representatives in rejecting the Bill, while, in this case, the representatives of Prince Edward Island, in both Houses, were unanimous in desiring this change, and accepting it as a simple act of justice.

Hon. Mr. MONTGOMERY fully agreed with the remarks of the hon. gentleman from Richmond. He was only sorry that the judges of the Supreme Court of Prince Edward Island had not also been considered, as their salaries were not commensurate with the duties they had to perform. He trusted the Government would be prepared to do justice in their case next session.

Hon. Mr. DEVER did not object to the increase in the salaries of the County Court judges in Prince Edward Island, as he believed from the statements made to this House, they were fairly entitled to it. But he could not allow the opportunity to pass without calling attention to the case of Judge Watters, a gentleman of great ability, and highly respected by the citizens of the largest city in New Brunswick. His work was admitted to be equal in importance to that of the Supreme Court judges, while his salary was very much smaller than the people of St. John considered he was entitled to; and they would look upon it as an act of justice, if his services should receive proper consideration.

Hon. Mr. KAULBACH said he had been induced to believe that the salaries of the whole of the judges were to be considered this session instead of being taken up piecemeal in this way. He agreed with the hon. Senator from Richmond, that the salary of the County Court judge of Halifax was inadequate for the duties he had to perform. His social standing was as high, and he was held in as great esteem by the members of the bar, as any of the Supreme Court judges. As a judge he performed as much, if not more, work as any of the Supreme Court judges, and his case was a stronger one than that of the judge at St. John. No matter what the political views of the gentleman might be before he was elevated to the Bench, a judge was not supposed to have any political bias, and politics should not enter into the discussion of this question at all. He regretted that his hon. friend, (Dr. Almon), should have introduced politics into this debate.

Hon. Mr. ALMON considered that if this House were to take any step, it should be to ungown the County Court judge at Halifax, and take him out of his office, as he believed that gentleman had received his appointment, not from his legal attainments or his standing at the Bar, but because as an *ad hoc* judge he had given two decisions that no honest man could approve. He did not believe that the people should be content to see the ermine dragged in the mud in such a manner.

Hon. Mr. HAYTHORNE rose to a point of order.

Hon. Mr. MILLER said that as other gentlemen who had spoken had left the motion and had challenged the remarks of the hon. Senator, he had a right to reply.

Hon. Mr. KAULBACH said he had not challenged the hon. gentleman's remarks; he had merely made a comparison between the County Court judges of Halifax and Prince Edward Island judges, as regards salary, and he thought it was beneath the dignity of this House for the hon. gentleman to introduce a private feud against any judge, on the floor of this House.

Hon. Mr. MILLER rose to a point of order; the hon. gentleman was attributing improper motives to the hon. gentleman from Halifax.

Hon. Mr. KAULBACH denied that he had imputed any improper motives.

Hon. Mr. SPEAKER ruled the hon. gentleman out of order.

Hon. Mr. HAYTHORNE said as the hon. leader of the Government had stated that the increase of the salaries of the Supreme Court Judges of Prince Edward Island would be a matter for consideration

for another session he (Mr. Haythorne) could not support the amendment of his hon. friend. He considered that the County Court Judges were doing a laborious work and doing it well for very small pay, and as he considered this to be a step in the right direction he would support the Bill.

Hon. Mr. POWER with the consent of the House withdrew his amendment.

The Bill was then read the third time and passed.

SUPREME AND EXCHEQUER COURT BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the House into Committe of the Whole on Bill (74) "An Act further to amend the Supreme and Exchequer Court Act."

In the Committee,

Hon. Mr. CAMPBELL said the hon. gentleman from Alma had suggested that the 10th clause should be amended so as to provide that no appeals should be allowed under this section, in cases in litigation now pending. He would accept the amendment.

On the 16th clause,

Hon. Mr. CAMPBELL said that after the Bill had passed through the Lower House, the Judges of the Supreme Court thought it better instead of the Second Term commencing in June, that it should commence in May. He would therefore move that the amendment be adopted.

The motion was agreed to.

Hon. Mr. CAMPBELL said he would also move the adoption of the following as a new clause so as to provide that the amendment should not affect the general sittings of the Supreme Court in the present year:

Clause A.

Section Sixteen of this Act shall not apply to or interfere in any way with the sitting of the said Court about to be held in the month of June in the present year, which shall be held as if Section Sixteen of this Act had not been passed.

Hon. Mr. Haythorne.

The amendment was agreed to.

Hon. Mr. CAMPBELL said the Judges had also considered it necessary to have the following amendment to section 12 of the Act:

Clause B.

Section 12 (twelve) of the said Act, passed in the thirty-eighth year of Her Majesty's Reign, is hereby amended by adding thereto the following proviso, which shall be read as if the same had been originally part of such twelfth section:

Provided always, that it shall not be necessary for all the Judges who may have heard the argument in any case to be present in order to constitute the Court for delivery of judgment in such case, but that notwithstanding the absence of any such Judges, from illness or any other cause, judgment may be delivered by a majority of the Judges who were present at the hearing of the appeal, and any of the Judges who may have heard the appeal, and may be absent at the delivery of judgment, may cause to be delivered to any Judge present at the delivery of judgment, his judgment in writing, to be read or announced in open Court, and then delivered to or left with the Registrar or Reporter of the Court.

The amendment was agreed to.

Hon. Mr. POWER reported the Bill from Committee with amendments.

The amendments were concurred in and the Bill was read the third time and passed.

SUPREME COURT JUDGES IN NEW BRUNSWICK AND NOVA SCOTIA SALARIES BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (109): "An Act to provide for the salary of one additional Judge of the Supreme Court of New Brunswick, and for the salary of any future Judge in Equity of the Supreme Court of Nova Scotia." He said, in order to save time he would state that he held in his hand a communication from the Government of New Brunswick to the Government of the Dominion on the subject, explaining the circumstances under which the Local Legislature had passed the Bill by which this Parliament were now asked to grant these salaries. The business of the Court had fallen greatly in arrear, and it was considered necessary in order that the people's cases should be

heard and judgment rendered in a reasonable time, that this appointment should be made.

Hon. Mr. KAULBACH asked why it was that the salary of the Equity Judge in Halifax should be reduced?

Hon. Mr. CAMPBELL said it was not proposed to reduce the salary of the present Judge, but as his salary was out of proportion to that paid to other judges, this Bill was to provide that any judge who might succeed him should not receive so much.

Hon. Mr. MILLER said they had daily recurrences of the anomalous condition of the law under which the creation of courts was regulated by one legislature while the payment of the salaries was regulated by another. The Local Legislatures had the right to call into existence whatever courts they might consider necessary for the business of the Province, and to create as many judges as they thought proper for the carrying of those courts into execution, while the Dominion Legislature was called upon to provide the salaries, although the right of appointment also rested with the Central Government. Discussions had arisen on this question on several occasions, and strange opinions had been expressed in relation to it. He had been astonished to find in another place, lately, an hon. gentleman taking the ground that the local legislatures had the right, under the Constitution, to create as many judges and to create as many courts as they thought proper; that it was a matter within their unqualified jurisdiction, and that this Parliament had no right to interfere, and all they had to do was to appoint the judges and provide the salaries. He consi ered that this was a most dangerous doctrine—one that might lead to serious abuse. Under that doctrine the province of Nova Scotia or New Brunswick, or any other province, might double or treble the number of their courts, or increase them to any extent, and this Parliament would have no option but to pass a Bill to provide for the salaries. He did not believe that such was the true meaning of the Constitution. If it were, they might as well say at once that the courts created by the local legislatures should be subject to no revision, but that the appointment of judges should take place as a matter of course without the necessity of passing acts for the payment of the salaries of those officers. He did not know where they were going to stop, if they had not the right to control the number of judges that the local legislatures should create. Feeling no responsibility under the law as it was now interpreted, the local legislatures, under pressure from the judges, because it would lessen their labour, and from the Bar because it would double the chances of the lawyers for promotion to the Bench, might run to an extreme in the creation of judgeships. He considered that before a provincial legislature ventured to pass an Act to create a new judgeship there should be a consultation with the Dominion Government, the reasons should be set forth to justify such appointments, and the Bill, before being introduced, should be submitted to the approval of the Minister of Justice of the Dominion. It was nonsense to say that this Parliament had no power to restrict what might become an abuse of a very serious character. In the present case he had no desire to interfere with the wishes of the Legislature of New Brunswick, but he could not help thinking that for a population under 300,000, five Supreme Court judges and five County Court judges were fully adequate to discharge all the duties connected with the administration of justice in that Province. In Nova Scotia they had but seven Supreme Court judges and seven County Court judges, a sufficient number, and if they now added another judge to the bench of New Brunswick the discrepancy would be greater than ever. The division of the jurisdiction into equity and common law jurisdiction might, perhaps, have necessitated the appointment of an Equity Judge, but there could be no reason why one of the present Judges should not be appointed to the equity side of the Court; or an Equity Judge might now be appointed with the understanding that, when a vacancy occurred among the Common Law Judges, no new appointment should be made. With regard to the last clause of the Bill, he was sorry to be obliged to object to it. It was well known that in Ontario and Quebec the Chief Justices received $6,000 and the Puisne Judges $5,000 a year. In the Maritime Provinces the Chief

Justices received $5,000 and the Puisne Judges $4,000 a year. The only exception was in the case of the Equity Judge of Nova Scotia, who received $5,000. What they had been contending for was that the salaries of their Puisne Judges should be increased to $5,000, the same as in other provinces. They considered that it required the same amount of talent and equal attention to perform the duties of a judge in the Maritime Provinces as in Ontario or Quebec. Their judiciary would compare favorably with the judiciary of these Provinces, and they should therefore receive as high remuneration. For the first time since Confederation an attempt was made to reduce the salary of a judge—a judge of Nova Scotia, and that too while a representative of that province occupied the position of Minister of Justice. The Equity Court Judge of Nova Scotia was a gentleman of the highest integrity and had performed the duties of his office to the satisfaction of every member of the bar in that Province. He would do no injustice to the Bar of Nova Scotia in saying that he was perhaps the only first class equity judge in the Lower Provinces, and there might be some difficulty in getting a gentleman to fill his position, as the equity practice was not sufficiently extensive to induce first class men to devote themselves to that branch of jurisprudence. It was therefore necessary to keep the remuneration of the Judge of the Equity Court at a higher figure than the salaries of Puisne Judges of the Common Law Courts. He did not wish to throw any obstruction in the way of giving an additional judge to the Province of New Brunswick; but it would be in the interests of all the small provinces, where judges were inadequately paid, to combine and throw out this Bill in order to mark their opinion of what they considered would be the true policy of the Government on this whole question. In doing so it would devolve upon the Government the necessity of taking up the whole subject next session, and unless they could place them in such a position as to oblige them to consider the matter, they would never deal with it on its merits.

Hon. Mr. HOWLAN regretted that he had not been in his place when the Bill relating to the Prince Edward Island County Court Judges was read the third time. He fully endorsed the principle laid down by the hon. member for Richmond that the judges of the Supreme Courts should be all placed on an equal footing with regard to salaries. They were judges appointed, not by the Provincial, but by the Dominion Government, and they ranked the same as judges in Ontario; they required to have the same training and experience and the same knowledge of the various laws as administered in the different provinces before they were elevated to the Bench. He could not see, therefore, why it was that the Chief Justice of Ontario should receive $7,000 a year, and the Chief Justice of Nova Scotia and New Brunswick only $5,000, and the Chief Justice of Prince Edward Island only $3,000 a year. He did not blame the Government for increasing the salaries of the County Court Judges, but he contended that they should have increased the salaries of the Supreme Court Judges in the same proportion. The County Court Judges had only been in office a couple of years, whereas the Judges of the Supreme Court had, some of them, been on the Bench over a quarter of a century and received only a pittance. It was well known that the Supreme Court Judges in his Province could not live on their salaries, and the consequence was, instead of every subject in Prince Edward Island having the right to have his case argued before the three Judges, in many cases he had only the benefit of one, because the Judges, being unable to live upon their salaries, had to supplement them by being presidents of banks and gas companies. The consequence was, when a case came before the court, in which a bank or a gas company was interested, with which the judge had any connection, he could not preside. He confessed he felt grievously hurt that this discrimination should have been shown—when the salaries of the County Court judges were being increased, those of the Supreme Court judges should have received the same consideration.

Hon. Mr. PENNY said it just depended upon there being a minister in the family whether the salaries of the lower court judges should be raised or not.

Hon. Mr. BOTSFORD concurred in the views of the hon. Senator from Richmond as to the evils that might arise if the construction that was sought to be put upon the British North America Act was a correct one. He believed, however, that it was not a correct one, as he considered that the Dominion Government had discretionary power to say whether they would appoint or provide salaries for new courts which the local legislatures might create. If this contention were not a proper one, he believed it was the duty of Parliament to obtain an amendment to the British North America Act, so as to obviate what might become a serious difficulty. No doubt great injustice had been sustained in New Brunswick in consequence of the business of the Courts having fallen in arrear, but his observation of the procedure in those courts had led him to the conclusion that a practice had grown up which was much to be regretted, and which caused great injustice to suitors. In former days when he had presided as Judge of the Common Pleas in his own County, cases were got through with much more speedily than at present. A case of any importance now took a week or ten days—sometimes three weeks before it was disposed of. It could be readily seen what great inconvenience this caused to other suitors who were obliged to have their witnesses in attendance waiting for their turn, or run the risk of being out of court, by a sudden termination of a case under trial, by non suit or otherwise. The present system in New Brunswick was one that did great injustice to clients, but he did not know that Parliament could do anything to amend it. While he freedly admitted that there were great arrears in the Supreme Court of New Brunswick, and while he admitted the diligence of the judges in the performance of their duties, at the same time he believed if a correct system were adopted in respect to the procedure—if the same system were adopted as obtained in England, where the judges declined to sit day after day hearing arguments upon points of law they had decided to give judgment upon—there would be no arrears in business. Then, it was absurd that hours should be wasted in arguments as to the propriety of admitting the evidence of a witness when the Judge should at once decide, according to his own judgment, whether he was a proper witness or not, under the law of the land. The great arrears of business, which this Bill was sought to remedy, arose from this delay in conducting cases before the courts. He believed if the same course were adopted, as was pursued in England, the Judges they already had were ample for the performance of all the duties that devolved upon them. The system on which lawyers were paid, had a great deal to do with this arrear of business. He might be considered a bold man for making such a statement; but he believed the practice of paying lawyers according to the number of hours they worked, tended very much to delay business in the courts, as they were in no hurry to get through.

Hon. Mr. DICKEY said there was a great deal of truth in the remarks of the hon. gentleman from Sackville, for he also had some little experience in looking at the proceedings of the courts, and he considered that nearly all the delay resulted from the judges not doing their duty. Any one who had visited Westminster Hall, or any of the higher courts in Ontario, must have seen that business was conducted in a very different way from what it was in New Brunswick. There business was managed in a very loose way, and the result was the lawyers got wrangling amongst themselves, and it frequently took a whole day to get through with a single witness. He believed, with his hon. friend from Sackville, that where the system prevailed of paying counsel by the day, there was no remedy except from the firmness of the judges, who should be prepared to do their duty and insist upon the business being proceeded with. While the present system of delay was allowed there was no hope that, by increasing the salaries, or the number of the judges in New Brunswick this evil would be remedied. He made this remark because he thought if public attention were called to this matter it might strengthen the hands of the judges in keeping the proceedings within proper bounds. On a former occasion he had called attention to the very great anomaly that existed under the Constitution between the power which was enabled to create courts, and the power which was expected to pay the salaries.

By a little gentle pressure from the Government and a little gentle pressure from Parliament this could be obviated. He was not prepared to go as far as the hon. Senator from Richmond had called upon the members of the smaller provinces to go. For the first time in this Parliament the members from the Maritime Provinces had been asked to combine and force the Government to follow a certain course. For his part he should decline to follow that course. Before Confederation judges of the Supreme Court received $2,300 a year; now they received $4,000 a year, so that no injustice had resulted to the judges from Confederation. The Judges of the Provinces of Ontario and Quebec had always been paid at a higher rate than the Judges in the Maritime Provinces: therefore it was considered necessary after Confederation that the Judges in the larger provinces should continue to receive higher salaries, and that was the simple solution of the whole question. A good deal had been said, and said with great propriety, as to the small salaries paid to the Supreme Court Judges of Prince Edward Island, but they had had the assurance from the leader of the Government that the attention of the Minister of Justice would be directed to it before another session. He thought those judges were inadequately paid, but whether their salaries should be raised to the same level as the judges of other provinces was for the Government to say. With regard to the Judge in Equity in Nova Scotia, he would recall the circumstances under which that Judge had been appointed. A wave of opinion had passed over that country twenty or thirty years ago, which resulted in the abolition of all the Courts of Chancery, and the Master of the Rolls. Notwithstanding the fact that the necessity for keeping those two branches distinct was pointed out, it was considered there that the Judges of the Supreme Court were perfectly adequate to decide both in law and equity. He had shortly afterwards pointed out in the Legislature that the inevitable result must be that the country would have to revert to their old system or something like it. As he had predicted, both Nova Scotia and New Brunswick had been obliged to return to the old system—an Equity Judge had been appointed in Nova Scotia, and they were now asked to appoint one in New Brunswick. He quite agreed with his hon. friend from Sackville that if the five judges in New Brunswick were to do their duty, and conduct the cases as they should be conducted, it would not be necessary to appoint this new judge; still the policy of appointing an Equity Judge was a good one. As to salary, the Equity Judge in Nova Scotia received $5,000 a year, but it was proposed to reduce the salaries of future incumbents of that office to $4,000. He was not aware of the circumstances under which Judge Ritchie's salary was made $5,000, but he presumed it was because he was the first judge of the Equity Court there and he was placed on a level with the Chief Justice. With regard to the general question of judges' salaries, he was not prepared to support the contention that they should be increased. The general principle had been adopted that the judges in the older and larger provinces should receive a higher remuneration than they did in the Lower Provinces. That principle was being carried out, because the last Judge appointed in British Columbia only received the same salary as a Judge in New Brunswick, although the cost of living in British Columbia was one half more than it was in his province. The same thing applied to Manitoba. Under these circumstances he did not think it was a question for pressure upon the Government, and he certainly could not sit still when he had been appealed to to join—he would not say it in an offensive form—a cabal of the Maratime Members to throw out this Bill.

Hon. Mr. MILLER was very much surprised at the manner in which his language had been construed—he would not say distorted—by the hon. gentleman from Amherst. He would not say the hon. Senator was a little stronger in urging his views in consequence of his (Mr. Miller's) apparent absence, but there certainly had been nothing in his language to justify the impression which the hon. gentleman had attempted to convey to the House, that he had exhorted the Maritime members to combined action to drive the Government into a certain course. He could not conceive that he had given any just grounds for such an impression. He felt himself

independent of all governments. When his duty called upon him to do so he was always ready to express his views, and it was not because of any craven fear of the Government that he now repudiated the sentiments that had been imputed to him and words which he had not uttered. His statement was that they had been contending for years for justice for the Judges of the Maritime Provinces, and he was happy to find that the hon. gentleman from Amherst was the only representative from the Lower Provinces who took an opposite and antagonistic view of the question. They had contended that, where a man was required in one part of the Dominion for a certain service, the requirements for which were just as high and the duties as important as for similar service in other parts of the Dominion, such a man should receive in one Province as much for that service as he would if it were performed in another Province. They might apply the arguments of the hon. gentleman from Amherst to the indemnity of members of this House and say that a member from the Maritime Provinces should only receive two thirds the indemnity that a member from Ontario or Quebec was entitled to. It was unfair to argue that because one province was larger than another, therefore the work should be greater and more important than in the smaller province. That would only hold good under one condition; that the smaller provinces had the same number of judges as the larger provinces; but when the judges were proportioned in number to the population it was absurd to urge that there should be a difference in their salaries. He would repeat the appeal which he had made: if the representatives of the Maritime Provinces were true to themselves they would avail themselves of the opportunity by throwing out this Bill to force upon the Government the necessity—if he might use that language—of dealing with this question in a larger way on some future occasion.

Hon. Mr. DICKEY said every statement he had made had been confirmed by the remarks of the hon. gentleman himself.

Hon. Mr. DEVER said he would not attempt to criticize the details of the working of the courts in New Brunswick, as he was not a lawyer, any more than the hon. gentleman from Sackville, though he was aware that he, (Mr. Botsford), had held the position of a judge in one of the courts in New Brunswick, and from his experience and natural ability was competent to judge of the details of such matters. But while he accorded to that hon. Senator all the credit to which he was entitled as a man of great experience and judicial capacity, he wast not prepared to remain silent and listen to charges made against a body of gentlemen in New Brunswick whom he looked upon as being equal to any similar number of gentlemen in any other Province in this Dominion. He certainly could not admit that such a lack of administrative ability as was described by his hon. friend, prevailed in the courts of New Brunswick.

Hon. Mr. DICKEY—Is my hon. friend prepared to deny it?

Hon. Mr. DEVER said he held that the Judges of New Brunswick were equal in ability and character with the judiciary in any other part of the Dominion, and he was not prepared to admit that any other judges were more competent to perform the duties of the position in which they were placed. If these hon. gentlemen knew for a fact that the Judges of New Brunswick were as incapable of conducting their courts as they had alleged, it was the duty of Parliament to know that such was the case, and if it were not the case, the judges should not be held up in such a ridiculous light before the other provinces of the Dominion. Before such charges were made, great care should have been taken to ascertain whether the practice in the courts of New Brunswick was different from that in the courts of the other provinces.

Hon. Mr. KAULBACH thought that the Government were doing wrong in dealing with this matter in a partial manner. He did not see why the salaries of the judges at Halifax should be levelled down while the salaries of other Judges were not interfered with. It had a tendency to create a sectional feeling, and he hoped the Government would be prepared to come down

next session with a general law in relation to Judges' salaries.

Hon. Mr. ODELL said there seemed to be but one opinion with respect to the anomaly that existed in the British North America Act, but that was not the question before them, and if it were before them he did not think it was one that that they were capable of deciding. With regard to this case, it appeared to him it was one that should stand on its own merits, and he was not prepared to take the responsibility of opposing a Bill which had come up in the regular way based on an Act of the Local Legislature, and supported by the documents which had been read by the Receiver-General. Viewed in that light, there was nothing left to them but to support the Bill. It was only placing New Brunswick in the same position as Nova Scotia. The Equity Court there had been abolished, and the business had been transferred to the Puisne judges and the Chief Justice, but they had found it absolutely necessary to reappoint a Judge in Equity who would also take his turn with the others in the common law courts. He hoped that on some future occasion the whole question, with regard to the anomaly in the Constitution, and the equalization of judges' salaries, would be taken up, and dealt with generally, and not in isolated cases like this.

Hon. Mr. McLELAN moved the adjournment of the debate.

The motion was agreed to.

CONSOLIDATED BANK OF CANADA BILL.

THIRD READING.

Hon. Mr. MACPHERSON, from the Committee on Banking and Commerce, to whom was referred the Bill, intituled: "An Act to make further provisions respecting 'The Consolidated Bank of Canada,'" reported that they had gone through the said Bill, and had directed him to report the same to the House without any amendment.

The report was received and concurred in.

The Bill was then read the third time and passed.

BUILDING SOCIETIES IN THE PROVINCE OF QUEBEC BILL.

BILL DROPPED.

Hon. Mr. MACPHERSON from the Select Committee on Banking and Commerce, to whom was referred Bill (L) "An Act to authorize and facilitate the liquidation of the affairs of Building Societies in the Province of Quebec," reported that the Committee had found that the objects of the said Bill were fully met by the amendments since made to another Bill of this session, on the same subject, which had already passed both Houses of Parliament, and they recommended that they be discharged from any further consideration of the said Bill.

The report was adopted.

The House adjourned at 1 p. m.

SECOND SITTING.

The SPEAKER took the chair at 2.30 p. m.

Continuation of the Debate on the Bill to provide for the salary of one additional Judge of the Supreme Court of New Brunswick, and for the salary of any future Judge in Equity of the Supreme Court of Nova Scotia."

Mr. McCLELAN resumed the debate. He said that he agreed with the remarks of the hon. gentleman from Sackville, (Mr. Botsford), as to the extent of litigation in New Brunswick, and the difficulty of clearing the several dockets. Cases, not particularly important often lasted for weeks, thereby subjecting, litigants to enormous delays and expenses. Perhaps this evil was peculiar to that Province, and arose from local causes, which might be remedied largely by local legislation, but whether so or not would an increase in the judiciary really improve matters, so far as the public were concerned? He, (Mr. McClelan), feared that it would not, and preferred a withdrawal of this Bill till next year, as had been done in two other

cases. He agreed with the hon. member from Richmond that, the Government cannot be expected to respond so promptly, whenever, it suits the local governments to take action, and a year's delay might ensure more mature opinions on the question. He, (Mr. McClelan), did not understand the hon. gentleman from Sackville, (Mr. Botsford), to make any remarks adverse to the present judges in New Brunswick, as affirmed by the hon. member from St. John. It would not be proper to cast any censure upon the Bench, or say anything which would impair the confidence and respect which was entertained towards it. He was not aware that the judges advised an additional appointment, and on the ground of economy, as well as for reasons before stated he urged a year's delay in the passage of this Bill.

Hon. Mr. MILLER regretted that there were so few members present, because he desired to take the sense of the House on the amendment which he proposed, but he could renew his motion at another stage of the Bill. So far as New Brunswick was concerned, he had no desire to defeat the measure, but he did desire to defeat that portion which cut down the salary of the Chief Judge in Equity in Nova Scotia. He, therefore, moved:

"That the said Bill be not now read a second time, but that this House resolves, That the present scale of remuneration of the Superior Court Judges of the Dominion is lower in the Maritime Provinces, as well as in British Columbia and Manitoba, than in the Provinces of Ontario and Quebec, and in some cases unjustly so; and that, under these circumstances, it would be unfair to reduce the salary of the Chief Judge in Equity in the Province of Nova Scotia below the sum now paid to the Vice-judges of the same court in Ontario."

Hon. Mr. CAMPBELL suggested that it would be better to wait until the Bill was referred to Committee of the Whole.

Hon. Mr, MILLER said he would prefer to take the sense of the House upon it with the Speaker in the chair. It would not affect the Bill so far as New Brunswick was concerned. The amendment was true in every particular. It certainly was not untrue to assert that the remuneration of the Superior Court Judges was larger in Ontario and Quebec than in the other provinces of the Dominion. If hon. gentlemen considered that this difference was in any case unjust, they should vote for the amendment. The Chief Judges of Ontario and Quebec received $6,000 each, and the Vice or Puisne Judges in Ontario received $5,000 each. In Nova Scotia the Chief Judge in Equity received $5,000; in Prince Edward Island the salary of the judge of the highest court was only $3,000, and the remuneration of other judges was but $2,500 a year. Was that no injustice? The Chief Judge in Equity in Nova Scotia received the same amount as a Puisne Judge in Ontario, and yet it was proposed to reduce his salary still lower. He, (Mr. Miller), would be untrue to the people he represented, if he allowed this Bill to pass without putting on record a resolution expressing his protest against such an act of injustice. Judge Ritchie, the present Equity Judge of Nova Scotia, was at one time a member of this House, and everyone who knew him recognized his ability, and when it should become necessary to appoint his successor, the people of Nova Scotia would expect to find in him a gentleman of equal talent and capacity. Did anyone who knew the present Chief Judge in Equity when he was a member of this House suppose that he would accept the position for $1,000 less than a Vice Chancellor in Ontario received? It was a small matter, no doubt, but there was a principle involved in it which had been a grievance in the Maritime Provinces ever since Confederation. They had looked upon it in Nova Scotia as an injustice, that their judges were not as well remunerated as the judiciary of Ontario and Quebec. If that was the case in Nova Scotia, what must it be in Prince Edward Island? He appealed to the representatives of the smaller provinces not to vote down this resolution, and endorse the injustice which was being done in this matter. He would not have opposed the Bill at all, if he had not been driven to it by the manner in which some hon. gentlemen insulted the Maritime Provinces, by telling them that their judges of Nova Scotia should not be placed on a par with gentlemen occupying subordinate positions in Ontario. He appealed with confidence not only to the members from the Maritime Provinces, (for he could not

see how they could vote against his resolution) but also to the representives of Ontario and Quebec to support this resolution.

Hon. Mr. CAMPBELL thought that it would be very much to be regretted if an appeal to the House, made in the spirit in which this had been, should be successful. It seemed to him that it had a tendency to excite feelings which should not be aroused. It was not conceived in the interest of the country, or calculated even to advance the object the hon. gentleman had in view. The motion was an unusual one, and was apt to be attended with considerable danger. If the hon. gentleman wished to defeat the Bill he should move against it in the usual way. He, (Mr. Campbell), trusted that the House would not commit itself to the principle that the hon. gentleman had enunciated. If the Bill was to be dedefeated, it should be done on a direct vote. He did not believe that the mea sure deserved the animadversion which had been made upon it. It was true that the salaries of the Judges of the Superior Courts in Ontario and Quebec were higher than those of the Superior Court Judges in Nova Scotia and New Brunswick. That might, or might not be proper, but there was this to say, that the salaries of the latter had been raised more since Confederation than the salaries of the former. Before Confederation the salaries of the Nova Scotia Judges were much lower than at present.

Hon. Mr. DICKEY—$2,200.

Hon. Mr. CAMPBELL said that they had been raised to $4,000, an increase of $1,800, while in Ontario the increase was only $1,000. Consequently, Confederation had proved more beneficial to the judiciary of the Maritime Provinces, than to the Ontario and Quebec Judges. The subject was much more difficult than at first sight it appeared to be. The salaries of judges in Ontario and Quebec were varied. In the Province of Quebec the Superior Court had jurisdiction to the very highest amounts in civil cases. There were twenty-five Superior Court judges in that province, of whom nine received $5,000 each, thirteen received $4,000 each, and three received $3,500 each. They required as much knowledge of the law as any of the judges in the other provinces, yet their salaries were as he had stated. It was not possible in a year, or in several years, to arrange such matters in the most desirable manner. It might be that if one had time to examine thoroughly the circumstances surrounding them, that some new arrangement might be made; but, in the meantime, it should be born in mind that the salaries of the judiciary of Nova Scotia and New Brunswick had been largely increased since Confederation. The Chief Judge in Equity received a salary of $5,000. That placed him above the other judges in status, but it was found that his duties were not more onerous or important than those of the puisne judges. When it became necessary to appoint another judge in New Brunswick, his salary was placed at $4,000. The representatives of that province in another place claimed that his salary should be as high as that of the Equity Judge in Nova Scotia; but to give him such a salary would be to place him above all the others without reason. Therefore, it was declared that the judge in Nova Scotia should have the same salary as the puisne judges, and that it should be the same in the case of this new Judge in New Brunswick. That would leave the remuneration of most of the judges in Quebec at $4,000 each, and of the judges in Ontario at $5,000 each. That might or might not require revision, but he did not think that it was unfair to say that the successor of the present Equity Judge in Nova Scotia should be placed on the same footing as his fellows. The appointment of a new judge in New Brunswick had been the subject of communications and conferences between the Legislature and the Bar of that province, and this Parliament should carry out their views. There could not be a stronger or higher opinion from the Province than that expressed by the Legislature. To carry the proposed amendment would be to leave this new Judge in New Brunswick in an inferior position to the Equity Judge in Nova Scotia. This Government and preceding Governments of the Dominion had largely increased the salaries of the judiciary in the Maritime Provinces.

Hon. Mr. MILLER — The pressure came from Ontario.

Hon. Mr. CAMPBELL did not know where it came from, but he knew that the Dominion Government, finding the salaries of the judges in the Maritime Provinces low, had raised them without pressure from the Legislatures of those provinces. There was an even scale of $4,000 applied to the salaries of judges in Nova Scotia and New Brunswick, not an unhandsome scale, though it might be said that it was not the same as in Ontario and Quebec. Still, it was an advancement. Was it not better to let it advance in that way gradually. Even if the hon. Senator from Richmond had to make the scale himself, he would not be able to do it to his own satisfaction: it would take time to adjust the salaries properly. The Government had shown a desire to meet the wishes of the Provincial Legislatures. They were complying with the request of the Maritime Provinces.

Hon. Mr. CHAPAIS—Too much so.

Hon. Mr. CAMPBELL said that the Government was gradually going in the direction that the hon. Senator from Richmond desired. Neither this Government nor any other Government of the Dominion could have any wish to do anything but justice to the judiciary of the provinces. Any person acquainted with public affairs knew that a great point in the Government of all countries was to take care that the judiciary was properly paid, thoroughly pure, and sufficient in number to obviate delays in the administration of justice in the country. He hoped that the House would adopt the Bill as it stood.

Hon. Mr. KAULBACH hoped that the Government would strike out the last clause of the Bill.

Hon. Mr. CAMPBELL—No; I will not.

Hon. Mr. MILLER asked leave to withdraw the amendment at this stage of the Bill, and gave notice that he would renew his motion at a subsequent stage.

Hon. Mr. McCLELAN moved that the Bill be not now read the second time, but that it be read the second time this day three months.

Hon. Mr. KAULBACH said he approved of the amendment. He thought that it would be wise for the Government to take up the whole question of the judges' salaries during the recess, and bring down a general measure on the subject, which would be just and equitable to all. He thought it was unfair to refer to the state of affairs which had existed before Confederation, when the tariff was lower. The judges of the Maritime Provinces were equal in calibre, and could discharge their duties as well as any other judges in the Dominion, and their salaries should be as high as those of the judiciary in Ontario. If New Brunswick was to have an additional judge, he did not see why the salary of the Judge in Equity in Nova Scotia, should be lowered. It was already $1,000 less than the salary of a Chief Judge in Ontario. It could not be lowered still more without reflecting upon the professional status of the judges in the Maritime Provinces. There was no necessity for making this invidious distinction. If it was right to reduce the salary of a Nova Scotia judge because a new judge was to be appointed in New Brunswick, it would be equally fair to diminish the salary of the Chancellor of Ontario. It was not a sound principle. Its tendency was to create sectionalism, and he thought it would be unwise to pass the Bill in it present shape.

Hon. Mr. POWER said that the hon. Senator from Richmond who had supported the Bill for placing the judiciary of Prince Edward Island on an equal footing with the judges in Nova Scotia and New Brunswick, was perfectly consistent in advocating the application of the same principle to this measure; but the position of the Government was entirely untenable. They showed no reason for increasing the salaries of the County Court judges in Prince Edward Island, except for the sake of uniformity; yet, an hour after that Bill was disposed of, they asked the House to adopt another measure to make the salary of the Chief Judge in Equity less uniform than it had been before. His own view of the matter, which he submitted with a great deal of deference to the House, was this: he did not think that the salary of a judge in one province should be regulated to any extent by the salary received by a judge

in another province. He thought that the Government should deal with this question just as any business man would deal with a matter of a similar kind—*i.e.*, pay such a salary as would secure a man well qualified to do the work, and to give that man no inducement to be dishonest, or leave in his mind any desire to go into another field of labor. If it should be found in the Maritime Provinces that gentlemen fitted for the Bench could not be got, the salaries should be raised. He was not aware that that was the case. He thought that no difficulty had been found in filling vacancies which had occurred in the Supreme Courts of Nova Sdotia and Brunswick, and there was this reason why judges in Ontario should be paid more than judges in the Maritime Provinces—the emoluments of members of the Bar were greater there than in Nova Scotia and New Brunswick, and unless the salaries of judges were large enough, the members of the profession could not be induced to accept seats on the Bench. Consequently, it was not necessary to offer the same inducement in the shape of salary that was offered in Ontario. With reference to the measure before the House, it had not been shown that there was any necessity for it. The representatives of New Brunswick in this Chamber were opposed to it. The hon. Senator from Sackville, (Mr. Botsford), and Hopewell, (Mr. McClelan), had shown that the object could be attained by an improvement in the manner of prosecuting the business of the court. He felt that if $5,000 a year could be saved, it should be done in the public interest. Although this new judge was to be paid only $4,000, his travelling expenses would bring it up to $5,000, and that was an amount worth saving But, with reference to the Equity Judge of Nova Scotia, he considered that the step taken by the Government was in the wrong direction altogether. He could add his humble testimony to what had been said by other hon. gentlemen as to the great ability of that Judge; he had no superior in that respect in the Dominion. It had been contended that there was no reason why the Equity Judge should be paid higher than other judges. There were good reasons for it. In the first place, the good equity lawyers were not numerous; in the next place, the Equity Court was open nearly all the time. During the incumbency of the present judge the equity business had greatly increased, and unless a man of superior ability could be retained in that position he would not be able to discharge the duties of the office. And, further, a lawyer in Halifax who had a good equity practice had a larger income than the salary of the judge.

Hon. Mr. ALMON said that he intended to vote for the Bill, but, at the same time, he felt the force of the arguments against the present system of the Local Legislatures voting the judgeships, and the Dominion having to pay the salaries. In Nova Scotia it had been the cause of a great many jobs. The County Court Judges' Bill had been conceived in sin, and brought forth in iniquity. Conservatives and Liberals had been equally to blame on that occasion, and used it as a mere political engine. The hon. Senator from Sackville, (Mr. Botsford), said that there was no necessity for another judge in New Brunswick; that the judges were too slow and the trials lasted too long. If lawyers would speak more to the point they could get through sooner. He remembered a case which was tried not a hundred years ago in Nova Scotia. The prisoner was charged with having murdered his wife in a country place, and the trial lasted for two days. The counsel for the prisoner commenced at nine o'clock in the morning to address the jury and spoke until 3 p. m. The prisoner asked him "Are you nearly through?" The lawyer replied that he was about half done, and the prisoner said "I murdered my wife under circumstances of aggravating cruelty, but I must draw the line somewhere. I have some bowels of compassion. I wish to spare the judge and jury, and I will plead guilty. Besides, punishment by torture has been done away with: hang me if you like, but don't torture them any longer."

Hon. Mr. BOTSFORD said that he had not intended, in the course of his remarks, to cast any imputation on the manner in which the judges in New Brunswick discharged their duties. On the contrary, he had stated clearly that they were done in a satisfactory manner, and that the arrear of business was due to other causes.

which he had pointed out. No sufficient reason had been given why the Senate should declare that the views of the Provincial Legislature were incorrect or that the decision of the representatives of New Brunswick in another place should be set aside by this House. He was prepared, therefore, to vote for the Bill, and against the amendment.

Hon. Mr. BELLEROSE said that the hon. Senator from Richmond, (Mr. Miller), having called upon the representatives of the various provinces, especially Quebec, to help him to defeat this Bill, he (Mr. Bellerose), wished to say that he could not do so. There was no force in the hon. gentleman's arguments—nothing to show that the course he proposed was right or proper. He, (Mr. Bellerose), failed to find any evidence of injustice towards the smaller provinces. On the contrary, there was evidence on the records of Parliament to show that the hon. gentleman himself, in times past, had acknowledged the reasonableness and justice of establishing a different scale of remuneration for the officers of the Dominion in the various provinces, according to circumstances. An Act was passed in 1873, which was sanctioned and approved of by the hon. gentleman himself. That Act provided that in Ontario and Quebec, the Lieutenant-Governors should receive $10,000 each, and that the salary of a Lieut.-Governor in any other province should be $9,000. The hon. gentleman considered this fair and equitable in 1873.

Hon. Mr. MILLER said that he was not in Ottawa at the time that the Act of 1873 was passed.

Hon. Mr. BELLEROSE said that it was the opinion of Parliament, at all events, at that time, and the principle was approved of by the representatives of all the provinces. The same principle was applied to the judiciary. Some of the Superior Court Judges in Quebec received only $3,500 per annum, but the representatives of that province did not complain, because they knew that the salaries of the judiciary were regulated not merely by the ability or standing of its members in the profession, but, also, by surrounding circumstances. There were places where a lawyer would accept a judgeship for a salary of $5,000, while, in other places, he would not take $7,000. The hon. gentleman complained that Nova Scotia was treated with injustice. If he would compare the amounts voted in the estimates every year for the Province of Quebec, with the appropriations since Confederation for the benefit of Nova Scotia, he would find that Quebec had always suffered. In looking over the estimates brought down this session he, (Mr. Bellerose), had found that only a few thousand dollars had been appropriated for public works in the Province of Quebec, while the Maritime Provinces which, in population and extent were much smaller, received over half a million, He did not complain of that, because in this Dominion each province should not expect always to receive its full share, but to show the hon. gentleman that Nova Scotia had no cause to complain of injustice.

Hon. Mr. MILLER rose to a point of order. If the hon. gentleman had complaints to make against the manner in which his Province was treated, he should wait for a fitting occasion to do so.

Hon. Mr. BELLEROSE denied that he was complaining; he was merely answering the hon. gentleman's argument that Nova Scotia was treated with injustice, He, (Mr. Bellerose), could see neither injustice nor insult to the Province of Nova Scotia in this Bill, and he would vote for it without hesitation.

Hon. Mr. MACPHERSON wished to call attention to the fact that the increased expenditure in connection with the administration of justice in the Dominion was very serious, and it would be well for the House to see whether it could not be diminished rather than increased still further.

Hon. Mr. CHAPAIS—Hear, hear.

Hon. Mr. MACPHERSON said that the increase was due, to some extent, to the fact that judges and courts were created by one legislature, while another

had to vote the salaries. He did not see how that anomaly could be done away with, He deprecated very much the raising of anything like a sectional question in this matter. He was free to admit that the province from which he came had done a good deal during the last five years to increase the cost of the administration of justice. Ontario had not set a good example to the other provinces in that connection; but he would not enlarge on that subject. He had intended to use the arguments which had been advanced by the hon Senator from Halifax, (Mr. Power), that in the various provinces, so long as our judicial systems were so different, some regard should be had to the incomes of the leading members of the Bar in determining the salaries of judges. A position on the Bench was considered the highest reward to which a lawyer could aspire. In accepting that office, and giving to the public the benefit of his ripe experience and judgment, he should not be expected to suffer financially. To some extent, no doubt, the judiciary in all the provinces did have to sacrifice something in accepting their positions, but there was this to be considered, that when a judge became unfit for service, he received a very handsome pension. His anxiety for the future was set at rest when he became a judge. The hon. Senator from Richmond could not see why the salaries of the Nova Scotia judiciary should be less than the salaries of judges in Ontario. He, (Mr. Macpherson), would not enter into a discussion of that question, but he would ask how had the salaries of the Nova Scotia judges been increased since Confederation?

Hon. Mr. MILLER—How were our taxes increased?

Hon. Mr. MACPHERSON said that this involved a nice question of account. The danger of raising the sectional cry was that people would be induced to look into the question of account, and it might be found that Nova Scotia received more than justice. He did not wish to go into the question. The people of the larger provinces were under the impression that they paid out a good deal more than they received. It might be an error. He did not wish to go into a question of account; he did not say that it should be gone into, but it was just such a motion as this that would raise it. He hoped, however, that the debate would not take that turn. He would vote for the Bill.

The House then divided on the amendment, which was rejected by the following vote :—

CONTENTS :

Hon. Messrs.

Bureau,	McMaster,
Christie,	Miller,
Grant,	Penny,
Hope,	Power,
Kaulbach,	Pozer,
Leonard,	Stevens and
McClelan (Hopewell),	Wark.—14.

NON-CONTENTS :

Hon. Messrs.

Aikins,	Flint,
Alexander	Girard,
Almon,	Glasier,
Archibald,	Guevremont,
Armand,	Haviland,
Baillargeon,	Haythorne,
Bellerose,	Howlan,
Benson,	McLelan (Londond'ry),
Boucherville, de	Macdonald,
Botsford	Macpherson,
Bourinot,	Montgomery,
Brouse,	Muirhead,
Bull,	Odell,
Campbell,	Paquet,
Chaffers,	Read,
Chapais,	Reesor,
Cochrane,	Ryan,
Cormier,	Seymour,
Cornwall,	Simpson,
Dever,	Smith,
Dickey,	Sutherland,
Dickson,	Trudel,
Dumouchel,	Vidal, and
Fabre,	Wilmot (Speaker).—48.

Hon. Mr. MILLER moved in amendment,

"That the said Bill be not now read a second time, but that this House resolves, That the present scale of remuneration of the Superior Court Judges of the Dominion is lower in the Maritime Provinces, as well as in British Columbia and Manitoba, than in the Provinces of Ontario and Quebec, and in some instances unfairly so, and that under the circumstances it would be unjust to reduce the salary of the Chief Judge in Equity in the Province of Nova Scotia below the sum now paid to the Vice-Judges of the same Court in Ontario."

The question of concurrence being put thereon, the House divided, and the names

being called for, they were taken down as follow :

CONTENTS :

Hon. Messrs.

Grant,	McClelan (Hopewell),
Hope,	McLelan (Londond'ry),
Kaulbach,	Miller and
Leonard,	Power.—8.

NON-CONTENTS :

Hon. Messrs.

Aikins,	Ferguson,
Alexander,	Flint,
Almon,	Girard,
Archibald,	Glasier,
Armand,	Guevremont,
Baillargeon,	Haviland,
Bellerose,	Haythorne,
Benson,	Howlan,
Boucherville, de,	McMaster,
Botsford,	Macdonald,
Bourinot,	Macpherson,
Brouse,	Montgomery,
Bull,	Muirhead,
Bureau,	Odell,
Campbell.	Paquet,
Chaffers,	Penny,
Chapais,	Pozer,
Christie,	Read,
Cochrane,	Reesor,
Cormier,	Ryan,
Cornwall,	Seymour,
Dever,	Simpson,
Dickey,	Smith,
Dickson,	Sutherland,
Dumouchel,	Vidal and
Fabre,	Wilmot (Speaker)—52.

The Bill was read the second time on a division, and referred to a Committee of the whole House.

In the Committee,

Hon. Mr. MILLER moved that the clause reducing the salary of the Equity Judge of Nova Scotia be struck out of the Bill.

Hon. Mr. AIKINS suggested that the amendment should be postponed until the third reading of the Bill.

Hon. Mr. MILLER said that it had been suggested at the second reading to postpone the motion until the Bill was referred to Committee, and he had acted upon that suggestion. He thought it was unfair to reduce the salary of the Chief Judge in Equity below the salary of a subordinate judge in Ontario. In the Maritime Provinces it was not so easy to get first class talent in equity as in Ontario. If the argument were a sound one, that an article ought to be paid for in proportion to the difficulty of getting it and its market value, the salary of this judge should not be reduced. Four thousand dollars was too low a sum to pay a judge in Nova Scotia. In Ontario, although the judges were paid thirty per cent. more than the judges in Nova Scotia and New Brunswick, the Legislature had to step in some years ago, and increase their salaries, and the Legislature of Nova Scotia, up to the present year, had followed the same course. He thought that it was unconstitutional, and might prove to be a very dangerous precedent. It was giving to the Legislature a means of tampering with, or improperly influencing, the judiciary. He understood that, during the last session of the Ontario Legislature, that extra allowance had been done away with.

Hon. Mr. MACPHERSON—Only in future appointments.

Hon. Mr. MILLER contended that the adoption of such a policy in Ontario, of allowing an addition of $1,000 to be made to the salary of each judge, showed that the salaries were considered inadequate to the duties they had to discharge, and to their status in life. With such evidence before the House, of the salaries paid to judges, they should hesitate before cutting down the remuneration of the Judge in Equity in Nova Scotia, who certainly could not be said to be overpaid. The cost of living in the Maritime Provinces was, perhaps, more in a large city like Halifax than it was either in Quebec or Toronto. The prices of the necessaries of life were higher, and, therefore, it would be much easier for a judge to get along on his salary in Ontario, than on the amount paid in Nova Scotia. Halifax was the seat of the Local Government—it was also a naval station, and the only military station in the Dominion. There was generally a large naval contingent there, and consequently the cost of living at Halifax was higher to-day than either at Toronto or Montreal. A judge could not as well live on £1.000 in Halifax as he could in Toronto on £1.250 Consequently to decrease the salary of the Equity Judge would be to perpetrate an act of injustice. It might be said that the

change would not apply to the present incumbent. That was a sort of argument which found no favor with him, (Mr. Miller), If it were wrong to do it to the present incumbent, it would be wrong to do it to his successor, because the people of Nova Scotia had a right to expect that as good a man would be appointed in the future as they had at present. He was sorry to find that during this discussion, the hon. Senator from DeLanaudiere had wandered so far as he did from the subject, and spoken on the treatment of the various provinces in the distribution of the public funds, and he was sorry to find that the hon. Senator from Saugeen intimated indirectly that the Province of Nova Scotia was receiving more than its share.

Hon. Mr. MACPHERSON—No; I did not say that.

Hon. Mr. MILLER said that the hon. gentleman had insinuated it; it would have been better for him if he had had the courage and manliness to say it openly. The assertion was that it was a matter of account, and if it were investigated, Nova Scotia might be found to receive more than her share of the public money. He, (Mr. Miller), denied that she did. It must be remembered that in such a matter as that, the question to be considered was, —what proportion of the public revenue did the people of any province pay. Taken in that way, Nova Scotia was as heavily taxed as any province of the Dominion, except British Columbia, and if they were to be taxed so highly, was it fair that the salaries of the public officers in that province should be based on a lower scale than those of similar officers in Ontario and Quebec? The hon. gentleman from DeLanuadiere should recollect that in making such comparisons as he had submitted to the House he should have some regard to the tax-paying capacity of Nova Scotia as compared with Quebec. The Province of Quebec contributed less to the revenue per capita than any other portion of the Dominion, and therefore if she did get less from the public treasury of the Dominion, than any other province, she would have no occasion to complain, but he denied that she received less than other provinces. She had received the Intercolonial Railway and large grants of the public money to divert the commerce of the West within her borders. Even this large expenditure between Lake Superior and Red River and on the Georgian Bay Branch, and Canada Central Extension, were for the same object. It might be contended that Quebec did not figure in the Estimates for many small grants as other provinces did, but she received her full share of the public money.

Hon. Mr. TRUDEL.—She only asks for her share.

Hon. Mr. MILLER said that Quebec received it: but he did not desire to raise sectional issues, but if they were forced upon him he would not avoid them. It would be readily perceived that the population of Nova Scotia were among the largest tax-payers of the Dominion, except the people of British Columbia. The great industries upon which that province relied were the fisheries, the shipping, the mining, mineral, and farming interests. With regard to the farming interest, they had to purchase a great deal from Ontario. Leaving that out of the question, the fishermen who produced yearly some six or seven millions for export, were purchasers of everything they used, and large consumers of dutiable goods. They paid as large an amount into the public treasury as any population of the Dominion. The mining population also contributed largely to the public revenue; then the ship-owners, and shipbuilders, and the men who sailed the ships of the Dominion were all large consumers of dutiable goods. Compare this population with the inhabitants of Quebec as a tax-paying people, and he would like to know where they stood, or even compare them with the people of Ontario, and he would like to know how they would stand the comparison as a tax paying population. Clever as the hon. Senator for Saugeen was, at accounts and he hoped the public confidence had not been shaken in those accounts by the hon. Senators from Gore and Quinte—if the hon. gentleman would debit and credit all the accounts fairly, it would be found that Nova Scotia would have no cause to blush for the amount which she contributed to the public revenue, when compared with what she drew

from it. If the accounts were fairly put, he would not say in the way that the hon. Senator from Saugeen might be disposed to put them, the result would be as he, (Mr. Miller), had stated. Under all these circumstances he asked was it fair that this small business of cutting down the salary of one of the judges of Nova Scotia should be permitted. The hon. Senator for Saugeen had been an advocate of retrenchment for years past, and on that account he had expressed his intention to support this Bill, but when the people of Ontario learned that the retrenchment would apply only to the future occupant of the Equity Court Judgeship of Nova Scotia, and would not effect any present saving, he did not think they would give him much credit for his efforts in the direction of retrenchment, especially when he was voting $4,000 to be paid immediately to a judge who, as several representatives in New Brunswick had declared, was altogether unnecessary. That was preaching economy and practising the reverse, but he (Mr. Miller) had observed in more instances than this, that the hon. Senator from Saugeen and other hon. gentlemen who were loud in expressing their desire for economy and retrenchment gave their votes in the opposite direction under the whip of the Government of the day. He hoped that the House would be satisfied with the first clause of this Bill, and drop the second. He was not sanguine after the division which had taken place that the amendment which he had moved would be agreed to, but minorities were not always wrong, and he believed that he had been more frequently right when in the minority, than when in the majority. He, therefore, moved that clause be struck out.

Hon. Mr. MACPHERSON said that the hon. Senator from Richmond had put a very unfair construction on what he, (Mr. Macpherson), had said. All that he had done was to deprecate going into the question of account and the sectionalism which the hon. gentleman had introduced. How he, (Mr. Miller), could have misrepresented and distorted, as he had done, in the most elaborate way what he, (Mr. Macpherson), had said he could not understand. As for the statements which he, (Mr. Macpherson), had made on the published expenditure ot the Dominion and of the Province of Ontario, he defied any hon. gentleman to detect any inaccuracy in them. He hoped that the House would not strike out the last clause. It would be a very extraordinary thing to amend in that sense a measure sent up from the other House. The Minister of Justice was himself from Nova Scotia, and ought to know what the salary of the Judge in Equity should be, and it had been supported by a large representation from Nova Scotia, among them several lawyers. And it would be very extraordinary if the House should interfere with their decision. He could only repeat that the hon. gentleman's attack upon him was unprovoked and very far-fetched.

Hon. Mr. MILLER said it appeared to him that the hon. Senator from Saugeen labored under the impression that no one had a right to go counter to him in anything he said or did. There was nothing in his, (Mr. Miller's), remarks that could be objected to, and they were uttered in the best possible temper. It was merely a sort of badinage, which was very common in the House. If the hon. gentleman imagined that he could say what he pleased and do what he pleased, and that no one should come between "the wind and his nobility," he, (Mr. Miller), should not venture upon such a delicate ground again.

Hon. Mr. CAMPBELL said that the second clause of the Bill was really to maintain equality between the judges of Nova Scotia and New Brunswick. Of course the members of the Bench and members from New Brunswick would feel that it was unjust to them if their judge should receive a lower salary than the Equity Judge in Nova Scotia.

Hon. Mr. POWER said he had hoped that the Receiver General would accept the amendment.

Hon. Mr. CAMPBELL—No.

Hon. Mr. POWER said that the salary of this Judge had been fixed in 1873. Nothiug had occurred since then to show that the amount he received was too great. It was quite impossible in Nova Scotia to get a lawyer who would be nearly as well fitted to discharge the

duties of his office for less than $5,000 a year. He called attention to the fact that this was the first instance since the union of the Provinces in which an attempt had been made to reduce the salary of a judge. The only excuse for it was, that a judge who was to be appointed under this Bill would be jealous if the Nova Scotia Judge received more than he did. The Receiver General and the hon. Senator for Saugeen, had deprecated sectional issues, and yet the Government had come down to this in consequence of sectional feeling.

Hon. Mr. CAMPBELL said it was not intended to cut down the salary of the present Judge, but of the next occupant of the office.

Hon. Mr. POWER said that the position assumed by the Receiver-General was not at all creditable. He sincerely hoped that the committee would look at the matter in a business-like way. It would be almost impossible to get a Judge to discharge the duties of the position for $4,000. He appealed to the House to do justice to the Province of Nova Scotia.

The Committee divided on the amendment, which was rejected: contents, 6; non-contents, 29.

Hon. Mr. KAULBACK, from the Committee, reported the Bill without amendment. The third reading was fixed for the next sitting of the House.

RAILWAY LAWS CONSOLIDATION BILL.

IN COMMITTEE.

Pursuant to order, the House went into Committee of the Whole on Bill (98): "An Act to amend and consolidate 'The Railway Act, 1868,' and the Acts amending it."

Hon. Mr. AIKINS explained that eleven Acts were consolidated in this Bill, and that there were but four new clauses.

Hon. Mr. MACPHERSON suggested that the Bill, which was a very long one, should not be pressed this session. As it was merely to consolidate existing Acts, there was no absolute necessity for it this year. He had heard from members of the other House that it might be greatly improved. Next session the measure might be referred to a committee of professional gentlemen, who would consolidate it in the strictest sense of the term. A good many judicial decisions had been given since some of the legislation had been enacted, and he believed they had not been fully considered in this Bill. He hoped, therefore, that it would be postponed for another year.

Hon. Mr. DICKEY quite agreed with his hon. friend as to the inconvenience of taking up a Bill of this magnitude so late in the session. At the same time, it was simply a consolidation measure, and not in any sense intended to amend existing legislation, and unless they contained some inaccuracy, they would be more convenient in a consolidated form. There were only two or three new clauses in the Bill which required to be attended to, and he thought that it might be passed, late as it was in the session.

Hon. Mr. MILLER did not know who the legal lights were with whom the hon. Senator for Saugeen had been consulting, but surely it ought to be presumed that the Minister of Justice and the officers of his Department should be conversant with the decisions referred to. If there were such decisions, rendering a change of the law necessary, and the amendments were not included in this Bill, it was a reflection on the Minister of Justice and the officers of his Department. The necessity for this measure was apparent. There were some twelve or thirteen Acts on the Statute Books, all amending each other. Any one accustomed to examine the statutes or make any reference to the railway laws must know that it involved a great deal of labor and waste of time to have to refer to all these amendments. The object of this Bill was to consolidate these Acts, and, as it contained but three or four new clauses, there was no reason why such a useful measure should be postponed till next session.

Hon. Mr. ALEXANDER concurred in the opinion that this consolidation should not be delayed.

Hon. Mr. READ said that he wished to introduce a clause in this Bill to regulate the height of over-head bridges. Any one who had seen the return of the number of persons killed by those structures must have felt horrified and exasperated at the companies whose employes were forced to destruction when their lives could have been saved by a trifling expenditure. He knew one over-head bridge where several men had lost their lives; recently, that bridge had been raised at a cost of $100. He observed, by a Belleville paper that a brakesman had been fatally injured, while standing on the roof of a car, by his head coming in contact with an over-head bridge on Front street. The cause of that accident was said to have been the unusual height of the car on which the unfortunate man stood—a car which came from the United States. He wished to insert a clause to prevent a recurrence of accidents from that cause. In the name of humanity he pleaded with the House to adopt the clause of which he had given notice. He had received letters from railway men—high officials too, who dare not give their names—thanking him for the few words he had spoken in the cause of humanity. Any able-bodied young man was worth $1,000 to the country, yet such men were killed from time to time, and not a word was said about them. He wished to prevent these in the future, and he believed that the clause which he had prepared would have the desired effect.

Hon. Mr. TRUDEL was inclined to agree with the hon. Senator for Saugeen in thinking that this measure should be postponed until next session. Whether this was a consolidation of existing Acts or new legislation, this House would be responsible for the measure. How many members of the Senate had examined it carefully? How many had even seen it? The House should go carefully through the Bill.

Hon. Mr. AIKINS—I have no objection.

Hon. Mr. TRUDEL said that there was not time to give it the attention which it deserved. As a matter of fact, hundreds of pages of legislation passed through the Senate every session without being properly read. This Bill was a very important one. It was not merely consolidation, but it was a sort of codification, and if the Senate should abdicate the natural share that it ought to take in such legislation, it was tantamount to saying that they were merely a body to register the measures that came up from the other House. He had read some of the clauses of the Bill and found that they were conflicting. In fact he frequently found such clauses in the Acts upon our Statute Books; there were amendments to meet such cases every session. If a little more time and care were taken with the legislation, there would not be so much necessity for these amending Acts.

Hon. Mr. MILLER said that these objections should have been taken at the second reading.

On the 9th Clause,

Hon. Mr. TRUDEL called attention to the third sub-section of this clause, which he contended empowered parties to sell real estate when they had no right to do so.

Hon. Mr. BOTSFORD—Is that the law as it stands?

Hon. Mr. TRUDEL said that it was, and it showed the necessity in a consolidating measure to take more care than Parliament usually did to eliminate such objectionable matter. He suggested that the clause should be struck out altogether.

Hon. Mr. SCOTT—You cannot do it.

Hon. Mr. TRUDEL—Why?

Hon. Mr. SCOTT—Railways must be built.

Hon. Mr. TRUDEL said that there was nothing to prevent the parties interested going before a court, and following the ordinary procedure to obtain permission to sell such property which would give to parties who were not able to protect their own interests, that protection which the law provided for them. He called the attention of the Committee to

the 8th sub-section which was contradictory to the sub-section to which he had referred. Suppose a case should come before a tribunal, arising under these provisions, would the judge take the 8th sub-section or the 3rd sub-section. One says that curators should be empowered to sell and the other that they should not. He protested against such legislation.

Hon. Mr. BUREAU said that there was a great deal in the remarks of his hon. friend. He (Mr. Bureau) had had a good deal to do with the expropriation of lands for railways. In cases of this kind there was a conflict of authority. Take for instance the case where a railway crossed Indian Lands. It was understood that, if any such lands should be sold, the money should be paid to the Government, who would hold it for the benefit of the Indians. Yet, under this clause, the Company would be exposed to the danger of having to pay for the land twice. Still, there was a conflict of power every day in the legislation of Parliament. For instance, in passing a law respecting a bridge it was necessary to go to the Federal Government for permission to cross the water, but, in erecting the piers, it would be necessary to expropriate land, and, in that case, the power to do so could only come from the Local Legislature. He thought that this matter deserved more consideration than it was receiving.

Hon. Mr. AIKINS said that he did not see any discrepancy between the 3rd and 8th sub-sections of this clause.

Hon. Mr. CAMPBELL said it seemed plain enough to him. Some kind of corporations in the nature of things, were the owners in fee simple of real estate, and were allowed to sell, but others were not allowed under any circumstances to dispose of such property. They could lease it and take a rent for it, and such cases were covered by the 8th sub-section. The hon. Senator from De Lorimier had had great experience in appropriating lands for railways—he had purchased right of way for a considerable portion of the Grand Trunk Railway. The hon. gentleman had cited the case of Indian lands. The Indians could not sell their property, but in that case the money was paid in to their credit, and it became part of the Indian Funds.

Hon. Mr. TRUDEL said it was as clear as daylight that curators and administrators had no right to sell real estate entrusted to their care. The effect of the third sub-section was either to empower them to sell or it was not.

Hon. Mr. CAMPBELL—It empowers them to sell.

Hon. Mr. TRUDEL—Then it destroyed the civil law of the Province, which enacts that they have no right to sell. It was, therefore, a destruction of the civil law of the Province, and removed the protection which should be afforded to those who were unable to look after their own interests.

Hon. Mr. CAMPBELL said that it was a power without which it would be difficult to build railways.

Hon. Mr. TRUDEL said that the civil law protected the rights of minors by requiring parties who wished to expropriate their property to pay the money into Court. But, under this measure, if a railway company wished to expropriate land owned by a minor, the guardian could put the price of it into his pocket, and the minor would be left entirely unprotected. He suggested that the third subsection should be struck out; the eighth subsection provided all that was needed.

Hon. Mr. CAMPBELL—You never could get on with any railway unless you had that power.

The third subsection was carried.

On the 28th subsection, which was as follows:

28. "Such warrant may also be granted by any such Judge, without such award or agreement, on affidavit to his satisfaction that the immediate possession of the lands or of the power to do the thing mentioned in the notice, is necessary to carry on some part of the Railway with which the Company are ready forthwith to proceed; and upon the Company giving security to his satisfaction, and in a sum which shall not be less than double the amount mentioned in the notice, to pay or deposit the compensation to be awarded within one month

after the making of the award, with interest from the time at which possession is given, and with such costs as may be lawfully payable by the Company."

Hon. Mr. ALEXANDER suggested that the clause should be amended so as to provide that the security should be satisfactory to the owner of the land expropriated.

Hon. Mr. MILLER said it would be better to blot out the clause altogether than to accept such an amendment.

Hon. Mr. SCOTT—It is perfectly absurd.

Hon. Mr. ALEXANDER—Why?

Hon. Mr. MILLER said that it would obstruct all railway enterprise. Every one ought to be satisfied with the security ordered by the judge. This measure did not apply to railway companies incorporated by the local legislatures.

Hon. Mr. ALEXANDER thought that it applied to all railways. In his own county, in a case that he knew of, the judge had taken bondsmen and security that no other man in the county would have accepted. What he, (Mr. Alexander), desired was that before a man's land could be taken he should have the option of going to arbitration and getting the value of it.

Hon. Mr. SCOTT said that the man had the privilege of going to arbitration within a limited time.

Hon. Mr. PENNY said that the hon. gentleman's, (Mr. Alexander's,) amendment, should not be sanctioned by the House. At the same time, it was clear, that the clause should be amended. The law should specify the nature of the security.

Hon. W. SCOTT—It is left to the discretion of the Judge.

Hon. Mr. PENNY said he was aware of that. He thought that the nature of the security should not be left to the discretion of the Judge.

Hon. Mr. CAMPBELL thought that there was great force in the remarks of the hon. Senator from Gore Division. It was a matter of great grievance when a man was deprived of his land, and not only received nothing for it for years, but got security which he considered worthless. When a man was deprived of his property he should either be paid the value of it, or be given satisfactory security.

Hon. Mr. DEVER sympathised with his hon. friend from the Gore Division in the difficulty which he had presented to the House. In New Brunswick a railway company had taken some two and a half acres of valuable land from him, for which they had not paid him, and for which he never expected to receive anything. These companies should be compelled to give proper security before taking away a man's land.

Hon. Mr. DICKEY said it was obvious that some amendment was necessary. By a summary proceeding, a company could get possession of a man's land, but they were only required to pay for it within one month after the award. It might be years before the award was given, and it appeared to him that there should be some remedy for this state of affairs.

Hon. Mr. MACPHERSON—It is becoming more and more evident that this Bill should be postponed until next session.

Hon. Mr. SCOTT said that there was some misconception in regard to this clause. He had had some experience of the working of it. The only improvement that he could suggest was that a sum of money be deposited instead of giving security. The company would then be desirous of bringing the arbitration to a close as soon as possble.

The clause was allowed to stand.

Hon. Mr. DICKSON reported that the Committee had taken the Bill into consideration, had made some progress, and asked leave to sit again to-morrow.

MILITIA AND DEFENCE BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (105) "An Act to further amend the Acts therein

mentioned respecting the Militia and Defence of the Dominion of Canada." He said that this Bill had been introduced to meet some difficulties which had arisen under the operation of the Act. The first clause made provision for the enrollment of the Militia. Under the present law, the enrollment was to be made in 1881, and was to be made every five years after. It was thought as there was no necessity for enrollment, this might be repealed, leaving it to the Governor-in-Council to say when the enrollment of the sedentary militia should be made. The third clause made provision that where a difficulty occurred in a municipality and the militia had to be called out in aid of the civil powers, the municipality had to meet the expenses of the volunteers, but they might be paid by the Government first, and recovered from the municipality afterwards. The reason for this was that the municipality was not likely to pay promptly, and it was unjust to the volunteers that they should be kept out of their pay for weeks or months as the case might be. When the volunteers had been called out in Montreal last July the municipality refused for sometime to pay them and the Government, under Order-in-Council, had to advance the money. This Bill made provision that the Government should in such cases pay the men; it would be then charged against the municipality and collected by the commanding officer in his own name, who should, on receipt thereof, pay over the amount to the Government. The fourth clause made provision that any lands held for Militia purposes in connection with drill sheds, rifle ranges, or such like uses, and found unnecessary to be retained, might be disposed of by the Government. Should the municipality have contributed towards the erection of drill sheds or other improvements on such lands, a fair proportion of such expenditure might be refunded, or, if the municipality preferred it, the money should be expended for other Militia uses of a permanent nature.

Hon. Mr. PENNY considered that it was unjust to the volunteers that they should be kept out of their money for a long time because of any indisposition on the part of a municipality to pay it, but he was afraid that when the Government had paid the money they would sometimes find it very difficult to have it collected from the municipality. In dealing with municipalities, governments were very apt to be exceedingly lenient. The Militia Law imposed a very heavy fine upon municipalities where the people were indiscreet enough to raise riots, by compelling them to pay the expenses of the militia when they were called out. He would be very sorry to see that security for the peace withdrawn, and, while he was very desirous that some provision should be made for the prompt payment of the volunteers while on duty, he would also like to see it made very clear that the money should be recovered in the shortest possible period from the municipality, and by persons less compliant than governments sometimes happened to be when such duties devolved upon them.

Hon. Mr. AIKINS said under the provisions of this Bill it did not rest with the Government, but with the commanding officer to proceed against the municipality.

Hon. Mr. PENNY—Is the commanding officer bound to proceed within a certain time?

Hon. Mr. AIKINS thought he was, but if the clause were not sufficiently explicit it could be amended in that direction.

Hon. Mr. READ said extreme cases of hardship had occurred under the Militia Law. For instance the time of the strike of the Grand Trunk Railway hands, because the men had congregated at Belleville, although they were not inhabitants of that town, the municipality had been saddled with the expense.

Hon. Mr. DEVER considered that was a clear case for the Government to defray the expense.

Hon. Mr. KAULBACH suggested that the Government should provide for drill instruction in the public schools.

Hon. Mr. MILLER said the Dominion Government had nothing to do with the schools.

Hon. Mr. KAULBACH considered that they had the power to make an ap-

propriation for that purpose. The militia system was very defective, and if the Government were to make a grant of money for the purpose of having drill instruction given in the public schools, as was the case in Germany, it would be found to work admirably.

Hon. Mr. FLINT, referring to the Grand Trunk strike, said that the sympathy of a large number of the inhabitants of Belleville had been with the strikers, and, if it had not been for that, it would have been very easy to quell the disturbances. It was the reason why it was found necessary to send a requisition to Toronto for volunteers. He believed the inhabitants should be compelled to pay for their sympathy. He was one of the magistrates who were called upon to order out the volunteers. When they had been called out, unfortunately the Government would not allow them any ammunition. The mob knew it, and consequently they laughed at them and elbowed them about, as they could not defend themselves without using their bayonets. He hoped the Government would make strict provision in this Bill that municipalities should be compelled to pay the expenses of volunteers under such circumstances.

Hon. Mr. FERRIER said the Grand Trunk Railway Company had large workshops in Belleville, and they should stand in the same position as other manufactories and receive the same protection from the authorities.

Hon. Mr. MILLER considered that it would be unfortunate to take away the obligation from the municipalities, as that was an inducement for them to make every effort to preserve the peace.

The Bill was read the second time.

PETROLEUM INSPECTION BILL.

A CLERICAL ERROR.

Hon. Mr. AIKINS said, before proceeding to the next order, he desired to call attention to a clerical error in a Bill which had passed both Houses without the mistake having been detected. It was the Bill respecting the inspection and storage of petroleum, in which the world "less" had been inserted instead of the word "more" in limiting the lawful specific gravity of petroleum. He suggested that the error could be corrected at the table of the House by the Clerk with the consent of the Senate.

Hon. Mr. SCOTT asked if the fire test of petroleum had been reduced?

Hon. Mr. AIKINS said it had not; it had been increased.

Hon. Mr. MILLER thought it would be a very serious matter to alter a Bill after it had passed.

Hon. Mr. POWER considered that the House had not the power to alter the Bill, as it had passed beyond their control. It seemed to him that the only way the difficulty could be got over was to introduce a Bill to correct the clerical error in this one. The best thing that could happen to it, however, considering the disreputable character of a portion of the measure, was that the Commons should kill it by not agreeing to the amendments made to it by the Senate.

Hon. Mr. DEBOUCHERVILLE contended that the Bill was still within the control of this House. They had to send it down to the Commons to ask their concurrence in the amendments. They could then have a conference, and ask them to amend this clerical error.

Hon. Mr. CHRISTIE said that the Secretary of State had no right to direct the Clerk to retain this Bill. The order of the House had been that the Bill should be sent down to the House of Commons and why should he or any other member direct the Clerk to do what the House had not ordered him to do.

Hon. Mr AIKINS did not consider that there was any impropriety in calling attention to this error, and reserving the Bill for the consideration of the House.

Hon. Mr. MILLER said he would not object to the amendment being made.

Hon. Mr. CAMPBELL said if the House had no objection the Clerk would make the amendment at the table.

Hon. Mr. CHRISTIE objected and the subject was dropped.

The House adjourned at 6 p.m.

EVENING SITTING.

The SPEAKER took the chair at 8 p.m.

Routine proceedings.

IBERVILLE BUILDING SOCIETY'S BILL.

THIRD READING.

Hon. Mr. MACPHERSON, from the Committee on Banking and Commerce, to whom was referred Bill (63) "An Act to grant certain powers to La Societe Permanente de Construction du District d'Iberville," reported the same without any amendment.

The report was concurred in.

Hon. Mr. BELLEROSE moved that the Bill be now read the third time.

The motion was agreed to and the Bill was read a third time and passed.

SUPREME COURT OF NEW BRUNSWICK AND NOVA SCOTIA BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (109) "An Act to provide for the salary of one additional Judge of the Supreme Court of New Brunswick, and the salary of any future Judge in Equity of the Supreme Court of Nova Scotia."

The motion was agreed to, and the Bill was read the third tme and passed.

LUNATICS IN THE NORTH-WEST TERRITORIES BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (106, "An Act respecting the safe-keeping of dangerous lunatics in the North-West Territories." He said there had been no provision for the care of lunatics in the North-West Territories, and they had been for the last two or three years sending such persons to the Penitentiary at Stony Mountain. There were six or seven of them imprisoned there now as an act of mercy, although there was no authority for it. This Bill was to give that authority, and it was the intention of the Government to place an item in the estimates for the erection of an asylum at Stony Mountain next year.

The Bill was read the second time.

CRIME PREVENTION BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (115), "An Act to continue in force for a limited time the better prevention of Crime Act, 1878." He said this was a Bill to continue for another year, an Act that had been passed last session, for the purpose of endeavoring to prevent trouble in Montreal, and it was thought desirable, as it had the effect last year of preserving the peace, to continue it for another year.

The Bill was read the second time.

WEIGHTS AND MEASURES' BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of the Bill, (87) "An Act to amend and consolidate the laws relating to Weights and Measures." He said: The object of this Bill is somewhat expressed by the title of it. It is to consolidate existing laws, and render them less onerous to the community in carrying them into effect. It is well known that a strong feeling has been created in the country against this law, more from the manner in which it has been enforced than from the principle of the measure itself. One of the objects of this Bill is to reduce the expenditure. The Minister of Inland Revenue expects that the reduction will be $35,000 or $40,000, and I have not the least doubt but his expectations will be realized. The amendments are so scattered over the Bill that it is almost impossible to pronounce upon them, but they have been copied

from the English Act. One is with regard to a bushel of certain articles to be determined by weight, and another is to render final and imperative in 1880 the use of the imperial gallon instead of the wine gallon. I have the report of the Inspector before me as to how far the imperial gallon has superseded the wine gallon. In the Province of Ontario it appears to have been pretty generally acted upon. In Quebec the difficulty with the small traders is this: that those engaged in the trade very largely can use one or the other. The traders would be quite willing to adopt the imperial gallon rather than the wine gallon if it were obligatory with those with whom they dealt to use it also. In Manitoba the feeling is not quite so general in favor of the imperial gallon.

Hon. Mr. SMITH—I am sorry that I cannot agree with the hon. Secretary of State with regard to the imperial gallon. I contend that its adoption is a mistake, and if the views of the traders of Ontario were known with regard to going back to the imperial measure, three to one would be found against it. The wine gallon is what they have been accustomed to; the wine gallon is what they are working upon, and they feel it a great hardship to have to go back to the imperial gallon. It should be left optional with the traders to sell by either the wine or imperial gallon. It may be very convenient for the Customs authorities to use the imperial gallon, but I have not heard a single trader speak in favor of it. I think the Secretary of State would do well, if he could see his way to do so, to make the use of either measure optional.

Hon. Mr. KAULBACH—I think the fishermen of the Maritime Provinces would prefer the wine gallon, but I believe there should be only one measure, and as the Secretary of State says the imperial measure is the most popular, I should prefer to take the Bill as it is.

Hon. Mr. DEVER—I regret exceedingly that the Government have decided to establish the imperial measure as I think it is one of the most unpopular things they could do. The wine measure is certainly the measure of this Continent. It is the measure we are all used to, and I think it is the one that would give the most satisfaction. At one time it was customary to make our calculations in £. s. d., as it corresponded with the English system. We continued it for a length of time, and declined to follow the example of the United States, but finally we saw the advantage of the decimal system and adopted it. It is well known that the great trade in this country is with the United States and the West Indies, and while these countries use the colonial measure it is the measure that we should continue. When this Act was introduced in St. John, New Brunswick, it caused quite a commotion there, and the result was its operation had to be suspended. Every side of politics united against it, and passed resolutions of indignation against the law. I am sorry that this Government feel it their duty to impose upon us the adoption of the imperial gallon. I would be delighted if they could see their way towards establishing the wine measure as the measure of the country, because I believe it will ultimately have to come to that.

Hon. Mr. MILLER — There is no doubt that this measure has been a very unpopular one from one end of the country to the other, but my own impression is that the principle of the Bill is a good one; that it is a necessity in this country that we should have some law regulating the standard weights and measures, and I think its unpopularity is due to a large extent to the manner in which it was put in operation. The officers chosen for the purpose were certainly not the right class of persons for the service. I agree with the remarks that have fallen from the hon. gentleman from Toronto (Mr. Smith) as regards the hostility to the imperial measure. In the Province of Nova Scotia the same feeling exists as in Ontario and New Brunswick. I think it is unfortunate that the Government have not seen their way to meet the wishes of the people more than they have done in this Bill. But what I wish chiefly to call the attention of the House to at the present time is a subject which has been before alluded to during this session, and I would ask it in all candour and all friendliness to the Government, why it is that a Bill like

this could not have been submitted to this House at an earlier period in the session, when more care and consideration could have been given to it at our hands? This is a Bill that could have been here some weeks ago. I can understand that the Government, entering upon the duties of their office shortly after the month of October, were called upon to do a great deal of preliminary work before the meeting of Parliament, and there would be some cause for dilatoriness in regard to public measures, but as to this Bill, I do not think that plea is available. The House ought to give expression to the opinion that is daily heard in our committee rooms with regard to the introduction at such a late period of the session of these most important measures—it is getting to be an evil that will have to be dealt with in some way by the Government, and no hon. members of this House are more outspoken in such matters than the best friends of the Administration. Unless some steps are taken to give us more of this kind of legislation in the beginning of the session it will result in very great dissatisfaction. I think the means could be found for attaining that end, and I think it is detracting very greatly from the position of this House in the country to think that we are passing bills of a most important character, voluminous bills, without giving to them that cool deliberation and consideration which is the cause of our existence as a legislative body. For this session I am ready to make excuse for the Government. They have many things to say in their favor for any backwardness in this particular, but I do hope for next session, and for all future sessions, that this sort of thing will not occur, and that the Government will take it into consideration and meet what I know is a strong feeling of the members of this House.

Hon. Mr. AIKINS—The hon. gentleman from Richmond has given the reason why these Bills have not been submitted to this House sooner, and the only reason. I have no doubt that the hon. gentleman's regrets are shared by many hon. members of this Chamber, as well as myself, that these measures could not have come down sooner. The fact that so much time was occupied in discussing the Tariff prevented them from coming up to this House before now, but I trust in the future—I speak for my colleagues as well as for myself—that our measures will all be brought down earlier in the session so that they will find their way to this House in time to afford ample opportunity to discuss them. In reference to the opinion in Ontario as to the use of the imperial gallon the inspectors report that it is very favorable, as will be seen by the report of the Minister of Inland Revenue.

Hon. Mr. SMITH—A number of those inspectors are not business men at all, and they know no more of what the trade requires than they do of navigation of the ocean. I can assure you that we in the City of Toronto have been annoyed and pestered a great deal by the incapacity of inspectors. One of them came to my house and ordered every scale in the floor to be taken up and sent to his house to be inspected. I told him I could not do that, and I very soon ascertained that he knew nothing at all about them.

Hon. Mr. AIKINS—Hear, hear!

Hon. Mr. SMITH—After a great deal of trouble I got him to leave the scales where they were, and to inspect them in my own house. For that inspection I paid him twenty-eight dollars, and the scales were not so good after the inspection as they had been before.

Hon. Mr. AIKINS—That I believe.

Hon. Mr. SMITH—I believe that nine-tenths of the merchants of Ontario are in favor of continuing the wine measure. For instance, we are all supplied with the wine measures; quart jars, gallon jars, earthen and stone vessels, kegs and barrels are all made to the wine measure standard, and this property will go to destruction when the use of the imperial measure is made imperative. It is a hardship that men who know nothing of business and who were never in the trade should be allowed to report on such matters, and that the Government should consider their report of sufficient importance as to saddle the whole mercantile community with loss and annoyance on account of them. The gallon jar, for instance, will hold only a little more than three Imperial quarts,

and it will be of no use to the trade. It will be the same with other vessels now in use. I cannot conceive what was the object, in the first place, for any change in the measures which the country had, and were well satisfied with. We entered our goods through the Custom House by wine measure, we sold by wine measure, and we got up our jars, kegs and barrels for that standard. and now they are to be rendered nseless by this law, and will have to be thrown aside. It is like going back to the £. s. d. currency, and it is not what the country requires. I am sorry to see this measure forced upon the country, and I think it is wrong to impose such a burden on the mercantile community.

Hon. Mr. DEVER—I do not think the recent Government ever did anything to make them more unpopular in the country than the enforcement of the Weights and Measures Act. The friends of the late Government and those of the present Administration almost united for the purpose of abolishing that law. I agree with my hon. friend from Toronto that it is not wise to take the mere reports of inspectors, whose interest it is to create confusion if possible so as to keep themselves in office. Even taking the inspectors' reports as they are, I believe that the country will be as well, if not better, satisfied with the wine measure than the imperial measure I look at the adoption of the imperial measure as a retrograde step, and I think it would be well for the Government to abolish it and allow the unpopularity of that legislation to remain with the late Administration.

Hon. Mr. AIKINS—If we had to commence *de novo*, I could understand the force of the remarks of my hon. friends from Toronto and St. John, but a very large amount of money has already been expended for the adoption of this measure —some four hundred or five hundred thousand dollars.

Hon. Mr. DEVER—It is as well that the Government should take the bull by the horns now as at a future day.

Hon. Mr. AIKINS—It would be unwise to lose the money already expended. The inspectors appointed by the late Government were clothed with such arbitrary powers that they have done much to make the measure, and the Government who appointed them, unpopular. But those gentlemen will not have such power in the future, and the object of the Government is to popularize the law.

Hon. Mr. SMITH—You may as well go back to the pounds, shillings and pence currency.

Hon. Mr. AIKINS—We have to deal with things as we find them. One of the objects of this Bill is to reduce expenditures. If we can succeed in reducing it from $107,000 to $67,000, and, at the same time, save the people from being harrassed as they have been in the past we will have accomplished a great deal. I have no hesitation in saying that the unpopularity of this measure was caused by the manner in which it was enforced. One would think it was an object of the late Government to bring discredit upon their predecessors who, in the first instance, introduced this measure.

Hon. Mr. DEVER—I think it is impossible to make the imperial gallon popular. All our bottles, jars and kegs are made on the wine measure standard.

Hon. Mr. PENNY—The great complaint in this debate seems to be that the imperial measure has been substituted for the wine measure, and it has been decided that the Act has become unpopular because it was enforced by the late Government. It was, however, an act of legislation and not of administration that created the imperial measure, and, so far as that complaint is concerned, it is plainly traced to the predecessors of the late Government.

Hon. Mr. AIKINS—The late Government brought it into force.

Hon. Mr. PENNY—Their predecessors enacted it, and, if they had not intended to bring it into force, why did they introduce such legislation? The fact is, I believe the law is a good one. I don't say whether we should have the wine measure or the imperial measure, but there should be only one standard, so that, when a man buys a gallon of anything, he knows what he is getting.

Hon. Mr. RYAN—I was really surprised to hear from hon. gentlemen opposite that adopting the imperial measure and the weights that have been introduced was a retrograde policy. We all know that the imperial gallon is the latest improvement in liquid measure in the United Kingdom. In adopting the imperial gallon we have uniformity with England and the Continent of Europe, where our chief transactions in liquids are carried on. We deal very little in liquids with the United States, and it is really keeping pace with the improvements of the age to adopt the imperial measure.

Hon. Mr. SMITH—Have we not been using the wine measure for years past?

Hon. Mr. RYAN—Yes; but it has become obsolete in the United Kingdom. The imperial gallon is the new measure—the measure of progress.

Hon. Mr. SMITH—No.

Hon. Mr. DEVER—It is nothing of the kind, and the hon. gentleman has no right to set himself up as an authority.

Hon. Mr. RYAN—It is twenty-six or thirty years since England substituted the imperial gallon for the old wine measure. They did not make the use of the imperial measure at once compulsory; they went on by degrees for a number of years under a permissive law, but now it is imperative against the use of the wine measure. It is an important matter in a great country like the British Empire, that there should be uniformity of measures.

Hon. Mr. SMITH—And currency.

Hon. Mr. RYAN—It is an important matter for us to understand the measure where we buy and sell, and if uniformity is secured by adopting this Bill, I think it is wise to do so.

Hon. Mr. DICKEY—But my hon. friend does not see that we may sometimes buy by the imperial gallon, and sell by the wine gallon.

Hon. Mr. SMITH—I think it is unkind of the hon. gentleman to make such an insinuation against the trade. No respectable trader would do such a thing.

Hon. Mr. DEVER—It is not done in New Brunswick, and I say that the hon. gentleman who states that it is, cannot prove it.

Hon. Mr. SMITH—A great many things are supposed by gentlemen who know nothing about the trade, such as the gentlemen who have introduced that measure into this country. It would be better for Canada to-day if the Government would allow the money already expended to go and permit the people to use the measure that that they have been accustomed to. I think it is wrong for any hon. gentleman to insinuate that traders buy by the imperial gallon and sell by the wine gallon. I have never seen it done.

Hon. Mr. KAULBACH—It is done in Nova Scotia.

Hon. Mr. SMITH—If it is done in Nova Scotia, it only shows that they have more dishonest men there than there are in any other province.

The Bill was read the second time.

THE TARIFF BILL.

DEBATE CONTINUED.

The order of the day being read, "resuming the adjourned debate on the Hon. Mr. Campbell's motion for the second reading of the Customs and Excise duty alteration Bill."

Hon. Mr. MACPHERSON said:—Hon. gentlemen, I rise with a good deal of reluctance at this late period of the session, and at this late hour, to address the House on this important question, for it is such an important measure that I feel I ought not to content myself with giving a silent vote upon it. I furthermore wish, with the permission of the House, to say a few words with respect to my own position on the question. I have been known in the House as a free trader. I was a free trader theoretically, and I have desired to see it carried out practically all my life. In 1872, when a national

policy tariff was introduced into this Parliament, I thought at that time that it was premature. I thought the people of the United States were smarting under supposed grievances growing out of the war, and I thought that the renewal of the Reciprocity Treaty with that country would be more for the advantage of Canada than anything else, and that time should be given to the United States to renew that treaty. It has become evident, however, that they have no intention of renewing it. On the contrary they have adopted a protective tariff, and have abandoned all idea, as far we can judge of renewing the old treaty with us. We have struggled on for years against the disadvantages which our commercial relations with the United States have placed upon us. They have a protective tariff; we have had only a revenue tariff. Many of our industries, after struggling for a time with great courage, have succumbed, and I have made up my mind, in common, I believe, with the great majority of the people, that we must try another system, adopt a policy of our own, and endeavor to protect our own industries. My hon. friend from Montreal described the change that has taken place in our tariff as a revolution, and, as a matter of policy, it is unquestionably a revolution. The people of the country have changed their views completely. A few years ago they desired only to see a revenue tariff; they have desired for many years that the revenue tariff should be incidentally protective, but the main object was revenue, and not protection. Although many industries have grown up under that system, they have during late years felt the competition of the manufacturers of the United States very grievous, and they have felt furthermore, that the manufactures of the United States were unfairly thrown upon the Canadian markets. Goods were brought into this market and sacrificed, and sacrificed in many instances for the purpose of destroying our industries. The people have experience this, and have determined to endeavor to prevent its continuance, by imposing heavier customs duties. My hon. friend from Montreal stated that instead of resorting to a system of that kind, our people should practice thrift. Habits of thrift are undoubtedly essential to prosperity and increasing the wealth of the country, and I believe that thrift is very much practised in this country, no doubt very much more than it was some years ago, but unfortunately it is enforced thrift. The people cannot do anything else. The values of goods and the prices of all manufactures have fallen immensely; the shrinkage has been very great, and the increased duty that has been imposed under this tariff will not affect prices materially at present. If the prices should advance, it will be because of a rise in the value of goods which is not likely, and of which there is no early prospect discernable at this moment. The hon. gentleman from Montreal (Mr. Penny), named coals and sugar as articles which, strange to say, while this duty upon them had been increased, have not advanced in price. He took the logical ground—and he always is logical—that if the duty had not been increased the price would have fallen. I am disposed to doubt that. It ought to be so, but we know very well that the laws of trade very often outrage the rules of logic. We see it occurring every day around us; we cannot explain it, but the fact is so. The competition is so great to supply those great staples that if anything occurs to impose a tax upon them, the ingenuity of those engaged in the trade is generally sufficient to prevent the prices increasing; but, on the contrary, they often decline. The hon. gentleman from Montreal went on to say—and I differ from him—that the increased debt of the last five years has not been owing more to one government than to another.

Hon. Mr. PENNY—Take the last ten years.

Hon. Mr. MACPHERSON—It is quite true that the debt did increase under both Governments, but there was this difference: that the former Government, (that of Sir John Macdonald), had large annual surpluses, and the late Government had large annual deficits. When the late Government succeeded to power, they were entire masters of the Canadian Pacific Railway project. The scheme of their predecessors had been abandoned, and it was competent for them to have done with that undertaking just as they believed to be in the interests of the country; but they adopted an unfortunate

policy by expending a large sum of money between Lake Superior and Red River, which has done much to increase the public debt and the burdens of the people. In addition to that, there was the Georgian Bay Branch to which they committed the country, and there was no cessation of expenditure under the late Administration, notwithstanding the decline in the revenue, and the general depression in the trade of the country. The hon. gentleman says that agriculture should be the great pursuit in this country, and of course it does underlie all other pursuits. But are we to have no manufactures. Would he give the people of the country no choice of employment? Would it be possible to build up the country, or to people it, and confine the inhabitants to the more primitive and less profitable occupations? Then, again, in dealing with the manufacturers of the United States who resort to the means I have described in introducing their goods into this Dominion unfairly, would the hon. gentleman do nothing to check their operations? We see that even in England, where free trade is carried, not only in theory but also in practice, to the greatest possible extent, that the very leaders of that policy are not willing to tolerate a system of interference with their trade, which is unfair, and which Mr. Gladstone has called "concealed subsidies," and Sir Stafford Northcote has described as a means by which goods are made artificially cheap. Of course, a great manufacturing country like England feels the ruinous influence of these concealed subsidies more widely and quickly than we would in this country, because her prosperity depends very largely upon her manufactures, while with us manufactures are not carried on to the same extent. The sugar trade has already been much injured, if not destroyed, in Great Britain, and it is very obvious, as has been stated by various writers during the last year, that if the system of concealed subsidies be permitted to extend to other manufactures, all would in time be destroyed, one industry after another would necessarily perish. The people of England are free traders, and will probably continue to be, so long as foreign competition is really fair, but if there are concealed subsidies given by foreign countries, England will change her policy, and it is very plain that public sentiment on the question is changing very rapidly —very much more rapidly than any one would have believed possible five years ago. I think there can be no question that the prosperity of England has been very seriously sapped. The depression exists there, and they are having serious competition in branches of manufactures that have heretofore been entirely their own. I know that the people of the United States, separated from them by the Atlantic, are competing with them very seriously. Belgium is sending her iron manufactures into the very heart of the Black Country of England. I am sorry that the hon. gentleman for Lambton, (Mr. Brown), has not remained until the close of this debate.

Hon. Mr. AIKINS—Hear, hear.

Hon. Mr. MACPHERSON—He has a habit of absenting himself for weeks, and then coming here and delivering a speech, and then rushing away to Toronto the moment he has done so. It is certainly not the course which he might be expected to pursue. The hon. gentleman probably felt the change that has taken place in public sentiment upon the trade question. There probably could have been no stronger evidence of this change than the indifference with which the hon. gentleman was listened to in this House. His coming was heralded for weeks before he made his appearance. He was coming, we were told, to deliver a great constitutional speech, and a great free trade speech, and that he would baffle and crush all his opponents; that he would place the trade question before the country in such a manner as would be altogether unanswerable. It was known that the hon. gentleman was expected to speak on this question to-day. When he spoke here last session he came heralded in the same manner as on the present occasion, and there was great curiosity manifested to hear him. The space outside the bar of this House was crowded; ushers were employed carrying in seats; and ladies and gentlemen, strangers and members of the other House crowded in to listen to him. On this occasion the hon. gentleman had no audience without the bar, and no response within the bar. The change was very significant. The hon. gentleman

did not say very much about the change of opinion in the country. He certainly did not charge the Government with having failed to fulfil the promises which the members of it had made to the people. He admitted fully, I think, that they had fulfilled their pledges in respect to the national policy by introducing the tariff which is now upon the table.

Hon. Mr. RYAN—Hear, hear.

Hon. Mr. MACPHERSON—The hon. gentleman, (Mr. Brown), has complained that the leader of the Government in this House ascribed the change of policy—the increase of duties—almost wholly to revenue necessities. It will not be denied that increased duties are necessary for revenue purposes, but, in imposing the duties under the new tariff, protection to the manufacturers was a leading consideration throughout. All the industries of the Dominion received consideration. I believe there were scarcely any overlooked, and I have heard of none.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. MACPHERSON—Probably no measure of the kind was ever received with more unanimous approval throughout the country than the tariff has been. The National Policy, of course, will take years to develope; it will take years to show really whether it will bring the prosperity to the country which is expected from it. It is not reasonable to suppose that the tariff which is now before this House will be found to be faultless. It will no doubt be found, like every other measure—open to improvement. One great object of the manufacturers has been to secure the Canadian market against unfair competition, such as I shall give an illustration of presently. The hon. gentleman (Mr. Brown) asks if we are going to take the United States by the throat. Of course it is perfectly absurd to talk of such a thing. No such idea could have been entertained by any one in this country. All that we can hope to accomplish is to prevent our own industries being taken by the throat and strangled by the people of the United States—that is all we can hope to do. The hon. gentleman, (Mr. Brown), said that the prosperity of Canada in the past had been equal to that of any state in the Union. Hon. gentlemen, I am glad to agree with him that the prosperity of Canada in past years was very satisfactory, and compared favorably with almost any of the northern states of the Union. But I believe this was true rather of the condition of the United States before the war than it is at present. I think that was true rather of the condition of the United States before they became great manufacturers, than it is at the present day. The duties that were rendered necessary to supply the sinews for the great war were so high, and, furthermore, (I believe they were an important factor in the matter), the presence of Southern cruisers on the Atlantic, did a good deal to force into existence the manufactures of the United States, and if the result to that country in money could be ascertained, it would be found that England did not owe the United States much when she entered the Geneva Conference. I do not think the prosperity of Canada compares as favorably with the prosperity of the Northern States as it did before the war. We have interesting evidence of the truth of this in the fact that while there has been a large immigration flowing into the United States, we have not only been without immigration, but a very large number of our own people have left the country. I think this is owing largely to the want of variety of occupation. The education which our youth now receive is calculated to give them a distaste for the labors of husbandry as carried on in this country. The work is very hard, and when a youth leaves his father's farm for school, and is an apt learner, he is the pride of his parents, and they send him on through the various schools till he arrives at the University. Of course he is lost to husbandry. But even if he stops short of the University, Collegiate Institute or High School, he is also lost to the country as a working farmer, and unless he can find occupation congenial to his new tastes, his more educated tastes in his native land, he will seek it in another country, and that is true to a very great extent in the Province of Ontario. In the United States there is every variety of pursuit from the sewing machine manufacture up to the steel rail furnace. It is a remarkable

fact that the manufactories that turn out the largest quantity of steel rails in a day on this continent are in Chicago. Now, whoever will look at the trade returns of the United States, will see that in these heavy articles of iron and steel manufactures, the import trade from Europe has practically ceased.

Hon. Mr. HOPE—Vanderbilt has imported English rails.

Hon. M. MACPHERSON—The fact is as I have stated, that the importation of these articles has practically ceased. The prosperity in the United States is being regained very rapidly. The exports greatly exceed the imports. Free traders and statisticians differ a good deal with respect to the truth of the result exhibited by a comparison of imports and exports, but there can be no question at all about it if a country exports very much more than it imports—in other words, if she exports her products and manufactures, and imports a smaller quantity of the manufactures of other countries, and the balance in gold, she is getting rich very fast. That is the present condition of the United States, and to a greater extent probably than any other country in the world. I think that the return to prosperity there will be quickly followed by a return to prosperity in our own country. I was surprised that the hon. gentleman for Lambton, (Mr. Brown), said a word in favor of an irredeemable currency, but he really did so in speaking of its introduction. What he said was that it would promote prosperity. I think he should have gone further, and said that that prosperity would be more apparent than real, for if there was much of that currency issued it would soon become a depreciated currency, and it would then have lost the purchasing power it would have if it were issued on a gold basis. I think it was not a judicious or a patriotic remark for the hon. gentleman to have made. He considers that the national policy of the United States was a curse to that country. Now I do not believe the people of the United States think so by any means, and I think if it produces anything like the prosperity in this country that it did there it will not be considered a curse in Canada. The hon. gentleman said that the British markets were open to us and that we should admit their goods on the same terms. That is what I understood him to mean. He probably did not mean it strictly, because we require a revenue, and the most convenient mode of raising it is by means of Customs duties. If the British Empire were formed into a commercial confederacy and traded on terms of free equality among themselves I believe great advantange would result from it. It is above all others the state of things I should like to see exist in the Empire, but I do not see any immediate prospect of it being brought about, although I do think from the steady competition which England has to encounter in all branches of manufacture and which is constantly increasing,—and we can see it is the policy of foreign countries to make it increase by shutting out foreign imports,—her policy should be to protect her own industries and those of her colonies, thus creating an inter-British trade. There is a reciprocal provision in our tariff relating to the United States. We are not taking the United States by the throat, as the hon. gentleman said; on the contrary, we say to the United States practically, "We offered to exchange commodities with you on terms "absolutely free from duty. You rejected "that proposition and have adopted a "tariff which is very hostile to us. We, "therefore, will enact such a tariff as we "believe will be best for our own interests. "We are not enacting a retaliatory tariff, "but we are enacting one that we believe "will be best for our own interests, and if "you should see fit to reduce your duties "below ours, we will meet you." The hon. gentleman for Lambton, (Mr. Brown), said that the working classes could not be benefited by the national policy, but, on the contrary, that all that entered into the cost of living would be increased in price by it, and the working classes would, therefore, be prejudiced and not benefited. I think that is a fallacy, because whatever increases the demand for labor will increase the price of labor and give to the working classes larger means of providing and enjoying the comforts of life. Give them full employment and you will give them and their families comfort and happiness. There cannot be a greater fallacy than to say that a policy that will create a demand for labor in the country will not benefit the working classes. The

hon. gentleman, (Mr. Brown), made another statement which I think was an extraordinary one. He qualified it a little when I called his attention to it. He said rather than increase taxation by means of duties, he would be disposed to pay bounties, and he would go to the Londonderry iron works and to the coal pits of Nova Scotia and say to the proprietors, "How much a ton do you want in the shape of a bounty and for how many years?" I asked the hon. gentleman how he was to get the money to pay the bounties without increasing taxation. I did not understand his explanation exactly, and I do not see how he could pay bounties without taxation. It was a very extraordinary statement to come from so extreme a free trader as the hon. gentleman professes to be and always has been.

Hon. Mr. PENNY—He did not advocate that.

Hon. Mr. MACPHERSON—He said he would rather do it than increase the duties, and I think that amounts to advocacy of it.

Hon. Mr. POWER—I do not think so. He said it was the less of the two evils.

Hon. Mr. McLELAN—He would advocate bounties rather than taxation.

Hon. Mr. SCOTT—It would cost less to the country.

Hon. Mr. MACPHERSON—The gentleman further said that we should adopt the British model for our tariff—that is, we should levy the duties on seven or eight articles. I think that was the number he stated. Now, the hon. gentleman did not enumerate the seven or eight articles. I should like to see his tariff under which duties would be levied on seven or eight articles.

Hon. Mr. WARK—Seventeen or eighteen, I think, he said.

Hon. Mr. DICKEY—I said the English revenue was raised on seventeen or eighteen articles.

Hon. Mr. MACPHERSON—I think if the hon. gentleman, (Mr. Brown), had enumerated the articles he would have convinced the country that the Finance Minister and the Government he would recommend to carry out a policy such as he indicated would not deserve to be trusted with the finances and government of this country, and that such a government, if tried, would not be any more successful than the late Government, which was, to all intents and purposes, his, (Mr. Brown's), Administration. The policy he is in favor of, if it was to be adopted, would certainly destroy all the industries of the country. The hon. gentleman gave us an extraordinary illustration of the folly, as he considers it, of the national policy—the folly of the policy which is inaugurated under the new tariff. It is what he called the "hat illustration." The hon. gentleman said: if in this room a hat changed hands several times, and each time a higher price were paid for it, that the aggregate capital in the room would not be increased by the transactions. That is an obvious truism. He might as well have said if half a dozen boys had a dozen pennies amongst them, and played pitch and toss in the streets all day, that, while some of them might be better off in the evening than they were in the morning, their aggregate capital would not be increased. I think the hon. gentleman, (Mr. Brown), must have forgotten a part of his illustration.

Hon. Mr. WARK—One was trading, and the other would be gambling.

Hon. Mr. MACPHERSON—I have worked out the hat illustration, and it furnishes an excellent example of the advantages of the national policy. To work it out you require two hats and two hatters, and to suppose also that one is a Canadian hatter, the other an American hatter, and that the Canadian cannot sell his hats less than $2.00 each. The American hatter comes in and says, "Well, we sell our hats in the United States at $2.10 each, but we want to relieve our own overstocked markets, we desire also to destroy the Canadian hatters, and we shall, therefore, undersell the Canadian hatter, although it will be at a loss to ourselves at first. We shall sell our hats at $1.99 each, one cent less than the Canadians can afford to sell for. On a large number

of hats that small difference in price would turn the trade. I shall suppose that 250,000 American hats are sold at a cent a piece, or $2,500 on the lot, less than the Canadian hatter could sell for. The American hatter returns to the United States, carrying with him $497,500, and boasting that he had destroyed the Canadian hat trade by having made the Canadian market his sacrifice market. The American would, therefore, take $497,500 out of the country. The Canadian hatter would say to his fellow countrymen: "If there had been an additional duty of 1½ cents upon hats coming from the United States, I would have been able to have supplied the 250,000 hats at $2.00 a piece, and we would have retained in the country $500,000, which have been taken away to the United States, and I and my workmen have to follow for our trade has been destroyed." I need not point out that the country would gain much by retaining the hatter and his work-people amongst us, and that the aggregate profit to the people derived from the manufacturing of five hundred thousand dollars worth of hats would amount to $2,500 many times told. The American on his return to the United States would say, "I have by the transaction prevented depression in our own market. I have destroyed the Canadian market, and destroyed that branch of manufacture in Canada for years to come." The hon. gentleman, (Mr. Brown), said that the bulk of imports had probably not diminished materially during the last five years; that the shrinkage was in value. That is true to a great extent, and I have stated in this House, during past sessions, that the decline in our revenue was largely owing to that cause, and that our duties being based on the *ad valorem* principle should have been raised. If goods fall 30 or 40 per cent. in value the revenue must decline in the same proportion, but the finance authorities of the country would not see it, and would not increase the duties, although duties increased sufficiently to prevent a decline of revenue, would not have been an increase of taxation. An increase of revenue is found to be necessary at present, and the duties have, therefore, been increased enough to give $2,000,000 additional of revenue. Increased taxation at present will, no doubt, be felt burdensome by the people. The country has been unquestionably impoverished during the last five years, because the policy of the late Government discouraged manufactures in this country, and the consequence has been that almost everything that has been required has had to be purchased abroad, and the money sent out of the country to pay for those purchases. The country has consequently been seriously impoverished. The hon. gentleman, (Mr. Brown), did not tell us in what manner and upon what articles the late Government would have imposed new taxes. He ought to have given us that information. Increased taxation had become unavoidable, and it would be interesting to know what the policy of the late Government was on that subject if they had a policy. He did not tell us how far the late Government intended to have gone in the direction of a national policy in 1876. It is well known that the Government had at that time determined, and had all but announced to Parliament the necessity for increasing the duties. The proposed change was semi-officially announced in the *Globe* on the day before the Budget Speech was delivered, but the change was prevented by the opposition of the Maritime supporters of the Government. Mr. Mackenzie did not increase the tariff as he had given the manufacturers of the country to expect, nor did he increase the revenue to meet the expenditure, and the Government continued for a couple of years longer, as long as they were in office, to roll up deficits. The hon. gentleman, (Mr. Brown), made a very grave misstatement with respect to the deficits. He said that the deficits during the reign of the late Government amounted to only $2,300,000. Whoever looks at the Public Accounts will see that they amounted to close upon $7,000,000. The hon. gentleman said that the difference between that sum and the nominal deficits is the sinking fund. I am amazed at the hon. gentleman speaking of the sinking fund as though it were not an annual charge—an item to be charged against the revenue of the year. The amount of the sinking fund must be invested in accordance with the agreements on which loans were obtained in England, and the applying of a portion of those loans to meet the current expenditure to the extent of $7,000,000 was a misapplication of the funds. The

money was loaned on the condition first that a certain amount should be invested in a sinking fund and the balance applied to the construction of public works. Instead of so applying it, the sum of $7,000,000 has been paid away in the ordinary expenditure. I say the money so applied had been obtained under false pretences. The hon. gentleman should have told us how the late Government intended to have covered the deficit. The two-faced shield could not be utilized again. It might have had stamped on its brazen side the effigy of the inventor and have been hung up in a museum for it would be of no use in Lombard Street again. The hon. gentleman (Mr. Brown) could not deceive the people of Ontario on the question of the Sinking Fund. The intelligent people of that Province have had much experience in financial matters. In the management of municipal matters they have been obliged to negotiate loans and a sinking fund is one of the conditions of such loans.

Hon. Mr. HOPE—They are abolishing that now.

Hon. Mr. MACPHERSON—I have not seen a by-law that did not contain a provision for the sinking fund. However I am showing how the sinking fund has to be taken out of the annual revenue and the people know that if the revenue is short it means a deficit, and it will not do to say that the money is in the sinking fund.

Hon. Mr. HOPE—The sinking fund is out of date now in the municipalities.

Hon. Mr. MACPHERSON—The hon. Senator from Lambton (Mr. Brown) said that the glory of the country was agriculture. No doubt it is a noble pursuit—it was the pursuit of our first parents, but their descendants in this age desire more varied occupation. They are not content to remain where the hon. gentleman from Lambton (Mr. Brown) and his friends would leave them,—at the tail of the plough. While many of them, fortunately, are willing to remain there, others have different tastes, and unless their tastes can be gratified in Canada, they will carry their skill and ability to other countries. Their happiness may not be greater, but the sweat of their brow may be less. The policy of the hon. gentleman and his friends has been to keep the people of this country at what I may describes for want of a better word—the more primitive and simple occupations, the least profitable, those requiring the least skill.

Hon. Mr. CHRISTIE—Hear, hear.

Hon. Mr. MACPHERSON—Occupations requiring the least mechanical skill.

Hon. Mr. HOPE—Are these remarks applied to the farmers of the country?

Hon. Mr. MACPHERSON—I say that a good many of the farmers' sons those on whom the friends of the hon. gentleman very properly conferred the franchise the other day, are not content to remain farmers. The hon. Senators from Hamilton and Erie, know that very well. These young men want, according as their education fits them, to become mechanics or manufacturers, or to get into offices, or to become professional men. The youth have a desire for varied occupations, and also for employment as skilled mechanics, manufacturers, and professional men. When I use the term "skill" it is in that sense. The late Finance Minister said openly and frequently in Ontario, that the building of towns and cities was to be discouraged, that agriculture, lumbering, and kindred occupations should satisfy our youth. The effect of that policy was to make our people the hewers of wood and drawers of water for foreigners. We would be paying large amounts of money for products in the profits on which our people could not participate at all. The people have adopted the policy which they belive to be best for their own country, and they will maintain what the hon. gentleman described as "kindly relations with all countries," but they desired the policy they believe to be the best for themselves, and to obtain this, and (what I believe to be essential to prosperity) more economical and better administration than they had during the last five years under the auspices of the hon. gentleman from Toronto (Mr. Brown), they made the change of the 17th of September.

Hon. Mr. POWER—They made a great mistake though.

Hon. Mr. MACPHERSON—The hon. gentleman and his friends know very well that the policy which was then adopted is one to unite the great industries of the country—farming, manufacturing, mechanical, and all other industries—as they never were united before. That is evidenced by the almost universal satisfaction which prevails in respect to the policy, and probably that is one reason why it is distasteful to the hon. gentlemen now in opposition. The opposition to the national policy in another place at the outset was feeble. The tariff fell upon the Opposition like a thunderbolt.

Hon. Mr. HOPE—Well, it might.

Hon. Mr. MACPHERSON—The hon. gentleman may laugh, but it is a fact. Down to the very day on which the tariff was introduced they professed to believe that it would be a measure that would disappoint the people and enable the Opposition to say that the country had been deceived. When they found that it was the complete and honest measure which had been promised to the people, it fell upon them like a thunderbolt. They were stunned. Many of them, no doubt, felt in their hearts that it was what was best for the country, and they lamented that, through the errors of judgment that had been committed by their leaders, they had been deprived of the political credit and advantages that would result from its adoption. The hon. gentleman, (Mr. Brown), went out of his way to make a most deliberate and bitter attack upon the Liberal Conservative Workingmen's Union of Ontario. Now, why should he have done so? These men have united for mutual improvement, instruction and amusement. They prefer to associate in their own meeting places to spending their time in less profitable pastimes. He spoke of them as dangerous men—as men who came from Europe, from the centres and circles of Communism, and brought with them the disturbing language of those communities. That was the way he, (Mr. Brown), described those hard-working, honest, law-abiding men. He said they were dangerous: worse than all—they were all Liberal Conservatives. It would certainly be strange, if they were the class he says they are, that they should hold Liberal Conservative views; but they are highly intelligent men, and are therefore Liberal Conservatives. They know the purpose and policy of each party; they know that the policy of the party to which they belong is to give employment to the people of the country, and they know that the policy of the party of the hon. gentleman, (Mr. Brown), is to give no employment to the workingmen, making them, while they are here, discontented, and finally compelling them to leave the Dominion. The hon. gentleman might know that, like all men in civilized countries, workingmen are only dangerous when they are in a state of enforced idleness, when they and their families are despairing, and they do not see where they are to get employment and the means of support. They are dangerous then, but at no other time. So long as they are properly treated, so long as they see the industries of the country encouraged and fostered so far as depends on the Government, the workingmen are contented and amongst the most valuable people in the country. The hon. gentleman even had a list of the numbers and names of the members of the Workingmen's Union. How did he get these? He seems to be watching them. They appear to afflict him (Mr. Brown) like a nightmare. I do not know whether he has induced his nominees in the Local Government of Ontario to set detectives to watch these workingmen, but I do not see how otherwise he could have got their number and names. The hon. gentleman professes to be a Liberal. He and his followers profess to be the *creme de la creme* of Liberalism, yet this hon. gentleman, who is the very head of the Liberals without whom they would fall to pieces in a day and become lost, spoke as he did here of the working men of Canada: instead of being the Liberals that he and his followers profess to be they are contracted, fossilized Tories. I happen to know some of these working men: they are men of high intelligence and are able to hold their own with the hon. Senator from Toronto (Mr. Brown) in discussing the public affairs of the day. Had the policy of the late Government been continued, the working men of this country would either have become

dangerous, as he unjustly says they are, or they must have expatriated themselves because there would have been no work for them. Not content with attacking the working men in the aggregate he came down and attacked one of them if not by name at all events in such a manner as to leave no doubt as to whom he alluded. He referred to a member of the other House, a most respectable citizen of Toronto, a man who has perhaps paid a larger amount of wages than any other man in the Dominion—I refer to Mr. Hay, the member for Centre Toronto. The hon. gentleman (Mr. Brown) spoke of him with intense bitterness—he singled him out for special denunciation. He said that Mr. Hay ought to be ashamed of coming down to Parliament begging for protection to enable him to compel his working men to support him in increased opulence.

Hon. Mr. PENNY—Is it not true?

Hon. Mr. MACPHERSON—No, it is not true.

Hon. Mr. PENNY—Did not he ask for 35 per cent?

Hon. Mr. MACPHERSON—There is no business man in Canada who has a higher, purer or more honorable reputation than Mr. Hay, or one who has always been in closer sympathy with his work people or who would do more for them than Mr. Hay, and yet he is singled out and bitterly denounced in this House as a beggar. It shows you how acutely the hon. gentleman, (Mr. Brown), feels the influence that was exercised by Mr. Hay and men like him in September last. The hon. gentleman could not whip them into the traces in the last election; they understood the interests of the country too well. You would not find Mr. Hay coming here and telling the hat story in the way the hon. gentleman did. He understands business too well to do so. Men like Mr. Hay and the workingmen exercised a large influence on the 17th of September last. Mr. Hay defeated a highly respectable citizen of Toronto, Mr. John Macdonald, the gentleman who formerly represented Toronto Centre in the House of Commons, but Mr. Macdonald offered himself as a supporter of the Mackenzie Government and of their commercial policy, and while, as I have said, there is no more highly respected citizen, as a citizen and merchant, in Toronto than Mr. John Macdonald, he was defeated by about 500 majority in the constituency where, only three years before, he had been elected by acclamation.

Hon. Dr. BROUSE—He always supported protection in the other House.

Hon. Mr. MACPHERSON—Not during the last session. In a previous session he supported protection, and I think introduced a resolution or delivered a speech in support of it.

Hon. Mr. SMITH—He wrote a letter.

Hon. Mr. AIKINS—A circular to the trade.

Hon. Mr. MACPHERSON—During last session he was understood to declare himself a free trader, and the result was that he was defeated in the late election. The hon. gentleman denounced in a severe, bitter and unjust manner the Liberal Conservative Workingmen's Union, and Mr. Hay, individually, but he had not a word of condemnation for the extravagance of the Mackenzie and Mowat Governments.

Hon. Mr. POWER—That was not the question under discussion.

Hon. Mr. MACPHERSON—Not a word of censure had he for their wasteful administration. He has defended all their acts of mal-administration, all their acts of extravagance and waste, and if I did not wish to avoid saying anything which might wound the feelings of gentlemen present here to-night, I might say he had defended all their jobs. What is more, he, (Mr. Brown), is chiefly blameable for the mal-administration and extravagance of the late Government. If they had not been supported by one of his supposed influence and one of his determination of character, who commanded them and they had to obey,—had it not been for that they would never have committed those acts of mal-administration and waste which caused their ruin. They believed the electorate, especially in Ontario, would be influenced when they appealed to it, by the hon. gentleman through his

influential newspaper, or they dared not to have committed the acts which they did commit, but they knew that he, (Mr. Brown), would defend them all, gloss over them, and do even worse than that—he would misrepresent their acts, and endeavor to obtain from the people a condonation of their offences, but, happily, he did not succeed in doing so. I say it was largely his fault that the Mackenzie Government mismanaged the public affairs as they did, and by their mismanagement, extravagance, and waste destroyed their party. The hour is late, and I shall not trespass longer upon the time of the House. I only say, in conclusion, that I hope the national policy may result as beneficially to the country as I am sure we all desire it may, whether we agree or not in the wisdom of adopting it.

Hon. Mr. HOPE—The Bill now before the House is one of the most unfortunate measures that ever was submitted to the consideration of any Parliament of Canada. It certainly has carried out the promises that were made by the Conservative party previous to the last election. I am willing to admit that it is the legitimate outcome of the verdict of the people in September last, but with respect to its merits, now that we have it unfolded, and laid before us, there are two opinions. I can only regard it as a measure of the most unfortunate and disastrous description—as a standing commercial menace to the people of the United States. I look upon it as one of the most unfriendly measures that ever was hurled at the heads of the English people; and more especially, looking at the effect of the standing outcry and assertion of those gentlemen who have supported this measure, that all that they wanted was reciprocal trade with the nations of the earth. Give them reciprocity—that was all they wanted—either reciprocity in trade or reciprocity in tariff.

Hon. Gentlemen—Hear, hear.

Hon. Mr. HOPE—The hon. gentlemen opposite say, "Hear, hear!" but what did they do? They have given a flat contradiction to all their statements. If we require reciprocal free trade, we have it with England if we choose. There is nothing which you manufacture or produce which is refused in England. There is no obstacle or barrier to our trade there. Whatever the United States or other countries may do, England opens her doors to everything you send her. But what return do you make? You raise your duties to such an extent as to prohibit the manufactures of England even entering your ports or harbors. In alluding to this matter, I take the article of wood screws. One factory is about sufficient to support the whole trade of the Dominion. It is an article that enters into almost everything you use. There is not a desk, chair, table or any kind of furniture in which wood screws are not required. There is a company of foreigners from the State of Rhode Island, that have put up an establishment for the manufacture of wood screws at the town of Dundas, at the head of Lake Ontario. They make a good article, and are enterprising people, but there are enterprising people in Birmingham also. To carry out the policy of establishing a market at the door of every farmer they have given those people from Rhode Island a tariff which utterly prohibits the introduction of wood screws from England. They have increased the duty from 17½ per cent. to 35 per cent. which is utterly prohibitory. I met in the gallery of the House of Commons the night that the Budget Speech was delivered, a member of the firm at Dundas, and I asked him if he was satisfied. He replied that he was delighted, "that 35 per cent. put the English people entirely out of the market," but, he added, "if you will allow me, I will furnish a calculation to show you that the duty is not high enough yet." A good deal has been said about the late Government having been hostile to the manufactures of the country. I say the statement is absurd. Look at the manufactures that have grown up under a moderate revenue tariff in Montreal, Toronto, and other cities of the Dominion. Look at Mr. Hay of Toronto, who has made his fortune under a 17½ per cent. tariff. He has been a most successful man and a worthy member of society, and his sentiments were different at one time from what he now holds, and I trust he will have no cause to regret the change of opinion. So well constructed is this national policy that it hits people that it was intended to pro-

tect, but I believe that the screw factory to which I have referred have protection enough to keep out competition. The Government say that they will give a market to the farmer at his own door. Do they not know that the manufacturers of England have agents in this country buying up all the wheat and flour and farm produce at the doors of the farmers of this country and giving the highest prices that they could obtain, and how, therefore, can this policy aid them by establishing markets at their doors? Hamilton is a particularly busy manufacturing city. One of the largest manufacturers there declared to me two years ago that 17½ per cent. was as much as they wanted, and that anything higher would have a bad effect, because it would increase the price of machinery and bring competitors from the United States. The agricultural implement makers have no been benefitted according to what they say by the increased duty. We hear the same accounts from Brantford, from Guelph and from London. Over the whole length and breadth of the country they tell us that instead of being benefited by the increased duties, they have been injured. Hamilton is the largest manufacturing place in the the Dominion, I believe, for stoves, but the stove makers say that they are not so well off under this new tariff as they were before. There is a duty placed on pig iron. What in the world tempted the Finance Minister to put a duty on that article? It is the raw material in the manufacturing of stoves and other iron wares, industries which are in their infancy as compared with what they will be in a few years. I understand that one of the iron industries in this country is either closed or is about to close since the adoption of the national policy.

Hon. Mr. ODELL—What iron industry is that?

Hon. Mr. HOPE—The iron works at Londonderry.

Hon. Mr. ODELL—The hon. gentleman is mistaken.

Hon. Mr. HOPE—I see a paragraph in the newspapers to that effect. It is stated that they complain that, although they have $2 a ton on pig iron, there is an increase of freight on the Grand Trunk Railway, and the duty on coal has increased the cost of it to such an extent as to more than neutralize the effect of the protection. We come now to the cabinet and furniture makers. Our friend, Mr. Hay, who has been successful with a 17½ per cent. tariff, did not require the duty on furniture increased to 30 or 35 per cent.

Hon. Mr. ODELL—Does he object to it?

Hon. Mr. HOPE—At whose expense is he protected? I say at the expense of the community. If he says he is going to divide his increased profits with his working men I have not a word to say, but we all know that there are two classes in the community that your national policy never can reach, and those two classes are the farmers and the working men You can only protect the working men when you close up all avenues by which a laboring population could enter the Dominion, and raise the wages of the working men accordingly; but, speaking of that, I believe that away up in the North West they are reducing the wages of the working men on the Pacific Railway, and, if they object, the contractors supply their places with laborers from the United States. I repeat there is no protection for the working men. They may combine together in workingmen's conservative associations—they may have their lodges and grand tylers and other nonsense of that kind. I never heard of such a thing only within the last two days, and I never was more astonished in my life than when I learned that such a thing existed. And what is their object? To cast their votes for the Conservative party. But there is a day of reckoning coming, and we will hear of it by and by. With regard to the stove manufacturing industry, I was conversing the other day with one of the largest manufacturers in Hamilton. He says he is going to be worse off under this new tariff than ever he was before; and the only thing that saves him is that he has been enabled, since the 1st of January, to cut down the workingmen's wages ten per cent. I asked him if that was the result of the national policy? Are the workingmen the first to suffer from its effects?

He said, "Yes." He said, "our coal is taxed, our iron is taxed, and we would be worse off than ever we were before if we did not reduce the wages of our workingmen." Our sewing machine manufacturers were known all over the world, They were as well known in South Africa as in Canada. They sent their sewing machines to China and other distant countries, and the excellence of them was appreciated as well as their cheapness. This tariff, he thought, would ruin him. He was told by some friends to keep up his courage, to explain to the Finance Minister what he wanted. He had an interview with Mr. Tilley, and the conclusion arrived at is this: they are going to have an expert to examine the machines exported to foreign ports, and estimate the duty on these. Whatever duty there is on the material in each of those machines, he will receive a drawback on, and this is for the purpose of maintaining the trade. He thinks that he will be able to continue his establishment under this arrangement, and I sincerely hope that he will. This inconsistent tariff imposes a duty on corn, and I may remark that we are going to have a large manufacture, or a large production, of fatted cattle, and that Canada is becoming the great country for feeding the cattle, the frames of which are to be obtained in the Chicago market. They are to be brought here, and under this tariff the farmer must pay duty on them. The Government take care that he shall not get protection. Then he imports corn to put beef on those frames, but the Government is ahead of him there too. He pays duty on corn, but there is no drawback for him when he exports the fatted cattle.

Hon. Mr. KAULBACH—Let him raise his own corn.

Hon. Mr. HOPE—You might as well talk of raising cattle on the high priced lands of Midlothian as to think of raising corn in West Ontario. You can get the frames of the cattle in the western country, and bring them here, but you must import corn from the United States to fatten them; and, as I have stated, there is no drawback when the fatted cattle are exported. The farmer has to "grin and bear it." I think before long there may be a revolution of feeling on the part of the farmers. I have mentioned the Agricultural Implements Iron Foundry, One gentleman said with regard to that industry that what was wanted was not the increased duty or any alteration of the Insolvent law, but that commercial travellers should be kept at home for one year and no goods sold. He thought this would bring more relief than any policy that the legislature could adopt, and I suppose that he was partially right. You come next to the boots and shoes industry. They have increased the duty on that, and for what? To enable them to get higher prices for their manufactures, but there are no manufactures of boots and shoes coming into the country from the United States. In 1871 we manufactured sixteen million dollars worth of boots and shoes in the course of the year. All that we imported from the United States was some two hundred thousand dollars worth —a mere bagatelle as compared with the production in this country, so that the extra duty that has been placed on boots and shoes can have no effect in keeping out competition either from the United States or Great Britain. The fact is, our manufacturers in this line have had the home market to themselves.

Hon. Mr. READ—Then the increased duty can do no harm.

Hon. Mr. HOPE—That will increase the price. The farmer will have to pay more for his boots and shoes. There is no revenue to be derived from it, and if the Finance Minister expects to get any part of his two million dollars to meet the deficiency in the revenue from boots and shoes, he is mistaken. He is also mistaken with regard to agricultural implements, because they have been sent in times past to all parts of the world—to Iowa, Indiana, Wisconsin, and other Western States, and the makers have paid the forty per cent duty to the United States, and still sold at a profit. Our agricultural implements have been sent to all parts of the civilized world. But the policy of the Finance Minister is to increase the price of all the raw material that enters into their construction. Now, a good deal has been said with regard to the prosperous condition of affairs in the United States. That country has been

held up to us as an example to follow. We have been told that the people of the Dominion should wonder at and envy the United States. I find that in 1870 the exports of the United States amounted to $680,653,698 ; the imports to $437,051,432. The exports exceeded the imports by $243,632,266, and that is the balance of trade which is talked of by the advocates of the national policy. Did any one ever hear of the ship that came with the gold that represents this amount? Surely hon gentlemen who have been investigating this subject, can inform us when it arrived if it ever did. But that ship never came. I will tell you how much gold was imported into the United States that year It amounted to $23,143,074. Now, what became of the $220,000,000? I will tell you. You have heard of people at home who invest large sums in real estate—who have thousands of acres of land, and employ laborers, and rent farms to make their lands valuable, and who live off the proceeds of the property. Now, there are in England gentlemen who live at ease, who have abundance of wealth—where does it come from? Why, all those people in the United States are just as tributary to those capitalists in England, as if they were working for them, and this balance of $220,000,000 goes to keep those people comfortable, because their capital is spread all over the United States. Look at the national debt of the neighboring country! Look at the state debts! Look at the municipal debts—at the amount loaned everywhere on property! Where do they pay the interest on that money? The $243,000,000 which is called the balance of trade represents the interest on their indebtedness. They don't pay the whole of their debts, it is true. Like all people in business, they make bad debts, some of which are incurred in the United States, but the larger portion of their capital yields a return in the way I have shown. Hon. gentlemen must not suppose that the balance of trade is made up in gold. Even in Canada there is no such thing. One hon. gentleman in the course of this debate used the expression that the money goes out of the country. If he will look at the returns, he will find that there is precious little either imported or exported. Last year we imported $803,726 of specie and bullion, and we exported $168,000, leaving a balance of $635,726. If the theory which these hon. gentlemen speak of be correct—that the balance of imports over exports is to be paid in gold—we would have exported more gold than we imported. But the fact is the other way. I now come to the condition of affairs in Great Britain. We have heard to-night about Belgium competing with England and about the United States manufacturers sending cotton home to Manchester. There was something of that kind done when slaughtering was going on. By the latest returns I find that the imports of Great Britain amounted to $1,969,695,885, and her exports to $1,263,883,010, making an excess of imports over exports of $705,812,875. People would naturally say, according to the theories of the hon. gentlemen from Quinte (Mr. Read) and from Saugeen (Mr. Macpherson), that such a state of affairs involves commercial ruin. But this difference between the imports and exports represents the amount which England gets from the capital she has invested all over the world. Talk of the ruin of England! The free trade policy of England has placed her on a rock that the world can never prevail against.

Hon. Mr. KAULBACH—Her laborers are starving.

Hon. Mr. HOPE—There is more real comfort in Great Britain to-day, than there is in the American Union. Go to the great cities of the neighboring country, and see the misery among the working classes. When I first came to America there was no such thing as a man being in distress or out of employment, but it is different now. I repeat that England is just as comfortable in her circumstances as any country on the face of the globe. With regard to this tariff—I can only look upon it in this light: if the Government expects to get a revenue from it, there must be imports, and for every dollar that goes into the revenue, the people will have to pay two dollars indirectly to keep up the manufacturers. I cannot see how the working men can benefit from such a state of affairs. It will make the rich richer, and the poor poorer. I have spoken at some length with regard to the manufacturers, and I now come to the farmers. I ask hon. gentlemen to examine this tariff, and show me what the

Government is going to do for the farmers? Can the Finance Minister think that they have lost their reason to be deceived by the imposition of fifteen cents a bushel on barley. Does he think that it will put a dollar into the pockets of the farmer? The thing is a palpable absurdity. And it is the same with oats. We manufacture a great deal of oats into oatmeal, and export it to the English market.

Hon. Mr. MACPHERSON — What about the drawback?

Hon. Mr. HOPE—That is absurd. You cannot have officials at all the mills scattered over the country.

Hon. Mr. MACPHERSON — Wherever there is a mill there will be a drawback.

Hon. Mr. HOPE—Take the various productions of the farmer—oats, beans, peas, buckwheat, etc.,—why, we raise a surplus of all these. You require a foreign market for them. You have agents of the manufacturers of England scouring the country and buying up all you can produce, and yet our manufacturers in this country condescendingly allow you the same price as the others, because the markets in England rule the prices of the world. As for the farmers getting the benefit of this tariff, the thing is an utter delusion, and they are beginning to see it. They are awaking to a sense of the commercial fraud that has been perpetrated upon them, and ere long we may find them petitioning the Governor-General, asking him to dissolve Parliament or to bring a new Ministry in.

Hon. gentlemen—Hear, hear

Hon. Mr. HOPE — It would not be such a strange circumstance as some hon. gentlemen think. I remember that Lord John Russell proposed to petition the King in a similar manner, and though he was ridiculed at the time, the event came quicker than any one anticipated, and, therefore, it is not improbable that such a change of sentiment may take place in this country, as the present Government will have some difficulty in withstanding. An hon. gentleman remarked the other day that the agricultural products of the United States were protected. How in the world can they be protected? Look at the quantities of breadstuffs that they export annually.

Hon. Mr. READ—What about the duty on barley?

Hon. Mr. HOPE—They put a duty on barley and they pay it themselves; it is the same with oats. As for protecting the agriculturists of the United States it is a delusion. Go to Chicago and ask them what fixes the price of barley and oats; they will tell you that the English markets govern prices. And, therefore, I repeat that to talk of protection to the farmers in the United States is a mere delusion. With all the energy and skill which the people of the United States have displayed, they have never been able to get their own market for their own farmers, because the prices are fixed in the English market. The hon. gentleman for Saugeen spoke the other night about "concealed subsidies"—that is, with regard to the sugar trade. I do not know that it can be so great a calamity to this country if foreign nations take it into their heads to give a bonus on all the sugar we consume in the Dominion. I should say that it was a piece of idiotic nonsense on their part. But if the people of Canada studied their own interest, they would say "bring on your sugar; we will be glad to get it on such terms;" but instead of that our Government have established a tariff that will have the effect, perhaps, of starting a sugar refinery in Halifax—though I have very grave doubts as to the success of that project.

Hon. Mr. KAULBACH—The Liberals from that Province do not agree with you.

Hon. Mr HOPE—There is a refinery at Montreal, and I may state that Mr. Redpath will make $250,000 a year by this increase in the sugar duties. I am perfectly satisfied that, looking ahead a year or two, he will endeavor to dispose of the expensive property that he has in his hands, because most assuredly if a change of Government should take place, the new Administration.

will say that the consumer is not taxed for the benefit of the refinery.

Hon. Mr. KAULBACH—Sugar is cheaper now than it ever was before.

Hon. Mr. HOPE—That is because it is cheaper in the markets of the world. We have been told that coal is cheaper, but I say that it is dearer than it would have been if the duty had not been imposed. We have heard a great deal about competing against England, but England will stand the competition of the world. Look at her export trade to all quarters of the globe. Look at the immense quantities of breadstuffs that she imports—all proving her wealth and prosperity.

Hon. Mr. AIKINS—And look at the cheapness of labor there.

Hon. Mr. HOPE—Well, it is pretty much on a level all over the world. You cannot have cheap labor in Canada, and high labor in the United States. So much have steam and electricity equalized the prices all over the world, that the stonecutters of Glasgow come out here in the summer time, work at their trade, and go home again to spend the winter with their families. With regard to the decline, as it is called, in our exports, I contend that if they were represented by quantity, and not by prices, they would be found larger now than ever they were before. It is the same with England. Values have fallen, but the volume of trade is greater than ever. Some reference has been made to steel rails; but we find that Vanderbilt has purchased English rails in preference to those manufactured in his own country. The inferior quality of American steel rails was so demonstrated that he would not use them; and here we have a proof of the result of a protective policy. The manufacturers are protected in that country, and they make enormous profits every year at the expense of the people. If the Americans are willing to submit to that, we in Canada can have no objection. The Government state that they require $2,000,000 more revenue, and that they expect to get it from this tariff. but for the life of me, I cannot see how they are going to raise it. It may be that times will improve, and that the increase may be brought about in that way. As to what the hon. gentleman from Lambton, (Mr. Brown), would suggest with regard to the raising of a revenue, I do not suppose that he considered it in his way to instruct a government in such matters. But if it were left to me, I could make many suggestions which would improve this measure, and get the revenue which is required without imposing such heavy burdens on the people. With regard to the sinking funds of municipalities, I made a remark which I think I should explain, because it looked rather extraordinary, when I said that the sinking fund system was out of date now. Say, for instance, that a municipality votes a bonus of a hundred thousand dollars in aid of a railway, or any other public enterprise: the amount is divided into twenty annual instalments, including interest, and there is no sinking fund necessary. It is paid for in the twenty years. That is a suggestion which I made to some municipalities when I was canvassing for railway bonuses. I told them that the sinking fund was an absurdity, and suggested this plan. They were delighted with the suggestion, and it is adopted pretty much all over Western Canada. It was objected to in one instance, and the result was an appeal to the courts. The decision given in that case was that it was a most laudable thing, that the municipality should pay its indebtedness in that form, and the action of the municipality was sustained. As to depreciatory remarks about the farmers, I never heard any gentleman on our side of the House say anything derogatory to the farming community. It has always been held up by intelligent men as the most important interest in the country. I met a gentleman recently in Hamilton, who told me that he had arrived in the country some twenty years ago with a number of mechanics who settled in Hamilton. He remarked that they had not made much progress. He said he had been a mechanic too, but instead of settling in a city, he had located a farm in the County of Bruce; that he had cleared a hundred and fifty acres of land, and was independent. It was a striking illustration of the difference between the two occupations. As for discouraging manufacturers, the Liberal party has never done so. In proof that they have not, I point to the industries which have been

built up in Toronto, Montreal, Hamilton, and other cities. Even the Finance Minister had to say in his Budget Speech that the busy city of Hamilton was a credit to the province; and I was glad to hear him say it. We do not wish to discourage manufacturers. All that we ask is, that the Government shall not burden the rest of the community. The hon. gentleman for Saugeen, (Mr. Macpherson), informed us it was the intention of the late Government at one time to increase the tariff to twenty per cent. I do not know that such was the case. Fifteen per cent. was the tariff which was established when the Confederation was formed, and we ought to have adhered to that. We could have got the extra revenue otherwise.

Hon. Mr. KAULBACH—By borrowing money.

Hon. Mr. HOPE—No, from other sources. The hon. Senator for Saugeen, (Mr. Macpherson), says that the national policy tends to unite all classes. It may unite a few, but I do not think that it unites all. One or two interests may be satisfied, but I deny that there is general satisfaction among the manufacturers with regard to this tariff. Certainly the workingman is not satified. His wages have been reduced since the 1st of January, in consequence of it. The price of everything that he wears, or uses, has been increased. I know nothing about the Conservative workingman. He ie a genus peculiar to some parts of the earth. I think the less we have of secret societies, and secret oaths, the better for the peace, welfare, and happiness of society. The hon. Receiver-General quoted from Lord Salisbury, in support of his argument, that protection would benefit the country. If the House will allow me a few moments, I will quote an extract from a speech of the late Lord Sydenham, who was the first Governor-General that we had after the union of Upper and Lower Canada, and one of the greatest among English statesmen. The older members of society here can all remember the time that he was Governor in this country. The speech to which I refer was delivered in 1829, and, I think, represented the view of English statesmen at that time:

Mr. Poulett Thomson, (late Lord Sydenham and Governor-General of British North America), in a speech in the House of Commons, 14th April, 1829, equally distinguished for soundness of principle and beauty of illustration, said: "I maintain, without fear of contradiction, that the very essence of commercial and manufacturing industry is freedom from legislative interference and legislative protection. Attempt to assist its course by legislative enactments by fostering care you arrest its progress, you destroy its vigor. Unbind the shackles in which your unwise tenderness has confined it—permit it to take unrestrained its own course, expose it to the wholesome breezes of competition—you give it new life, you restore its former vigor. Industry has been well likened to the hardy Alpine plant: self-sown on the mountain side, exposed to the inclemency of the season, it gathers strength in its struggles for existence, it shoots forth in vigor and in beauty; transplanted to the rich soil of the parterre, tended by the fostering hand of the gardener, nursed in the artificial atmosphere of the forcing glass, it grows sickly and enervated, its shoots are vigorless, its flowers inodorous. In one single word lies the soul of industry—competition. The answer of the statesman and the economist to his sovereign enquiring what he could do to assist the industry of his kingdom was: "Let it take its own way." Such is my prayer: "Relieve us from the chains in which your indiscreet tenderness has shackled us; remove your oppressive protection; give us the fair field we ask, and we demand no more. The talent, the genius, the enterprise, the capital, the industry of this great people will do the rest; and England will not only retain her present position, but she will take a yet more forward place in the race of competition for wealth and improvement which, by the nature of things, she is destined to run amongst the nations of the world."

I have only to say in conclusion, that I hope that the injury which this measure is calculated to do may, under Providence, not be so serious as we have reason to expect that it will. At the same time I consider it most unfortunate that we should have such a tariff as this in the Dominion. I look upon it that our manufacturing and agricultural interests will have to struggle against the malign influence of the upas tree of the so-called national policy.

The Bill was read the third time on a division.

THE PRINTING OF PARLIAMENT.

THIRTEENTH REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. SIMPSON moved the adoption of the thirteenth report of the Joint Committee of both Houses on printing.

He explained that it was one of the usual reports, recommending that certain documents be printed.

The motion was agreed to.

OFFICIAL ARBITRATORS' BILL.

SECOND READING.

Hon. Mr. DICKEY moved the second reading of the Bill (81) "An Act respecting the Official Arbitrators."

The motion was agreed to, and the Bill was read the second time.

MOIRA DUES AND TOLLS BILL.

SECOND READING.

Hon. Mr. FLINT moved the second reading of the Bill (49) "An Act to amend so much of the Act, 33rd Vic., chap. 46, as relates to the imposition and collection of dues and tolls upon logs, timber, pine, cedar, and railway ties, passing down the River Moira through the Port of Belleville."

The motion was agreed to, and the Bill was read the second time.

Hon. Mr. CAMPBELL moved :—

"That when the House adjourns this day, it do stand adjourned until to-morrow at eleven o'clock in the morning, such sitting to continue until one o'clock in the afternoon, unless the House be sooner adjourned, when the House shall stand adjourned until two o'clock in the afternoon, such sitting to continue until six o'clock in the afternoon, unless the House be sooner adjourned, when the House shall stand adjourned until eight o'clock in the evening; and that each of such sittings be considered a distinct sitting, and that all measures in charge of the members of the Government shall have precedence."

The motion was agreed to.

The House adjourned at 11 p.m.

THE SENATE.

Tuesday, May 13th, 1879.

The SPEAKER took the chair at 11 a.m.

Prayers and routine proceedings.

THE PACIFIC RAILWAY RESOLUTIONS.

MOTION.

Hon. Mr. CAMPBELL moved the following resolutions respecting the Pacific Railway :

1. That the construction of the Pacific Railway would afford employment to great numbers of workmen, and open up vast tracts of land for occupation, and form an outlet for the over populated districts of Great Britain and other European countries.

2. That it would be of general advantage to find room for the redundant population of the Mother Country within the Empire, and thus build up flourishing colonies on British soil, instead of directing a stream of emigration from England to foreign countries.

3. That in view of the importance of keeping good faith with British Columbia, and completing the consolidation of the Confederation of Provinces in British North America, and for the purpose of extending relief to the unemployed working classes of Great Britain, and affording them permanent homes on British soil; and in view of the national character of the undertaking, the Government of Canada is authorized and directed to use its best efforts to secure the co-operation of the Imperial Government in this great undertaking, and obtain further aid by guarantee or otherwise, in the construction of this great national work.

4. That it is further expedient to provide :—

(*a.*) That one hundred million (100,000,000) acres of land and all the minerals they contain be appropriated for the purposes of constructing the Canadian Pacific Railway.

(*b.*) That the land be vested in Commissioners, to be specially appointed, and that the Imperial Government be represented on the Commission.

(*c.*) That all the ungranted land within twenty miles of the line of the Canadian Pacific Railway belonging to the Dominion be vested in such Commission, and that when the lands along the line of the Canadian Pacific Railway are not of fair average quality for settlement, a corresponding quantity of lands of fair average quality shall be appropriated in other parts of the country, to the extent in all of one hundred millions of acres.

(*d.*) That said Commissioners be authorized to sell, from time to time, any portions of such lands, at a price to be fixed by the Governor in Council on their recommendation, at a rate of not less than two dollars per acre, and that they be required to invest the proceeds of such sales in Canadian Government securities, to be held exclusively for the purpose of defraying the cost of the construction of the Canadian Pacific Railway.

5. That the withdrawal for sale and settlement of the lands for twenty miles on each side of the located line of the Pacific Railway has in part had the effect of throwing settlement south and west of Lake Manitoba.

6. That in the existing state of things, it is desirable to combine the promotion of colonization with Railway construction on the Canadian Pacific Railway, west of Red River.

7. That the Government be authorized and directed to locate a portion of the Railway System of the Country, from the Red River westerly, running to the south of Lake Manitoba, with a branch to Winnipeg. And, if they deem it advisable, to enter into contract for expending a sum not exceeding $1,000,000 in constructing the said Railway without previously submitting the contracts to Parliament.

8. That it is expedient to make further explorations in the Peace and Pine River Districts and other sections of the country not yet examined, in order to ascertain the feasibility of a line through the largest extent of fertile territory before beginning the work of construction n British Columbia.

9. That in the opinion of this House, the selection of the Burrard Inlet terminus was premature.

10. That it is necessary to keep good faith with British Columbia, and commence the construction of the railway in that Province as early as is practicable.

11. That the Government be authorized and directed to make such further explorations as they may deem necessary for the said purpose, and so soon as they have finally selected and located the line, to enter into contracts for constructing a portion of the same, not exceeding 125 miles, without the further sanction of Parliament, so that the work of construction may, at latest, be commenced during the present season, and thereafter be vigorously prosecuted."

He said: In moving these resolutions I feel that the subject has been so much discussed elsewhere, and so long has had the consideration of the public, and also of the hon. members of this House that one cannot approach it with any freshness, and probably with not much interest to any hon. gentlemen. The resolutions point to a new mode of endeavoring to construct the Pacific Railway. Hon. members know what efforts have been put forward in the past, and what the result of those efforts has been. There can be no doubt that the most important means in our hands for the purpose of constructing this railway are the lands which are to be found in the North-West in such quantities and of such great value. It is proposed that these lands shall be used for the purpose of accomplishing the great task we are about to undertake. Without these lands I do not believe that it is in the power of the country to carry the work to a conclusion. With the lands utilized to advantage, we may be able to do so. The whole area of the good land of the North-West is estimated at twice the amount mentioned in these resolutions. It is proposed to set apart 100,000,000 acres and vest that quantity in Commissioners with the view of endeavoring to interest the moneyed men of Europe in the project, and by means of a lien upon this land, and upon this railway itself, to raise money for the purpose of carrying it to completion. We trust that we may be able to interest the Imperial Government in it also. There is no doubt that the general state of things pointed out in the resolutions exists in England, and it is very desirable that the stream of emigration from the Mother Country should rather be directed to the colonies than to foreign lands. It will be necessary, apparently, that large numbers of our fellow-subjects should leave the Mother Country. That is taken for granted, and it was pointed out very distinctly by Lord Derby in an address delivered by him a month ago in Liverpool. He suggested this as a means by which a greater degree of comfort and prosperity might be restored to England. If a large emigration from Great Britain is essential because there are no longer means for existence and support in that country for the surplus population, it is very desirable in the interests of the Empire that the stream should be directed to her own colonies rather than to foreign countries. The three things seem to combine: the existence of a large cultavable area of land in this country; the possibility of using that land in the hands of Commissioners for the purpose of raising money to construct the railway, and the possibility of enlisting the Imperial Government in the project in consequence of the existing state of things at home. The three instruments combined, may possibly result in a successful arrangement being made in carrying on the Pacific Railway. These are the points to which these resolutions are directed. It is also desired to make a further exploration of the Peace River district. I do not know why the Pine River district is mentioned also, because I do not know that there is any good land in that district, but of course the Pine River Pass has to be explored to see if a good route can be got to the Pacific in that way. In the Peace River country large quantities of good land

exist—this is the testimony of the engineers and the Hudson's Bay Co.'s officials. If there be really a large extent of fertile country there it may be desirable—the Government do not say it is desirable—to lengthen the road and run it more northerly to go through that fertile territory. I think it is an axiom that we should take the railway as much as possible through cultivable land, and avoid land which is not cultivable. I have pointed out the main features of the resolutions, and I do not wish to detain the House, but I shall be happy to discuss them at greater length if it is desired.

Hon. Mr. ALEXANDER—There is no doubt the House would not bear with any lengthened discussion on the resolutions, but I take the opportunity of stating that they embody a plan or method of securing the construction of the Pacific Railway according to the principle which I have always believed to be the best. I have always been opposed to the building of that road with money from the public chest. In fact, I have always looked upon the late Administration as having departed from a sound and statesmanlike principle when they departed from the policy of their predecessors for the construction of the railway by a private company subsidized with liberal grants of land and money. Never did they make a more grievous mistake, as there should be no difficulty with the valuable land we possess in the North-West: I have had the assurance of leading capitalists in Great Britain—one of whom came to this country—that there should have been no difficulty in finding capital for a private company to build the road, even from Thunder Bay, to Red River, on condition of getting a large quantity of fertile land in the North-West: I heartily congratulate the Government on their resolutions, and they shall have my support.

Hon. Mr. POWER—I regret very much that the leader of the Opposition is not in his place, because it seems to me to be a great pity that a very important declaration of policy, such as this is, should be allowed to pass without comment. It is to be regretted that resolutions like these, committing this House to a policy involving very great expense, and very important consequences hereafter, should pass without any discussion whatever, and although I am a very humble member of this House I shall venture to say a few words on the resolutions submitted to us by the Receiver General. If the members of this House had had the opportunity of being present and listening to the discussions in the other Chamber on this subject, possibly there would not have been any necessity for the explanations made by the leader of the Government here, but we have been very busy in this House and have not heard the discussion in the other House. I think some further explanations should have been given by the hon. gentleman. I wish to call attention to the fact that in passing the first resolution we are endorsing a statement which is not correct:—

"*Resolved*, That engagements have been entered into with British Columbia, as a condition of union with Canada, that a line of railway to connect the Atlantic with the Pacific shall be constructed with all practical speed."

Hon. Mr. CAMPBELL—That resolution is not amongst those which are proposed.

Hon. Mr. POWER—The hon. gentleman told us when the resolutions were introduced that they were similar to those introduced in the Commons.

Hon. Mr. CAMPBELL—No, I did not say so.

Hon. Mr. POWER—With reference to the first resolution now before us, there is no doubt that the construction of the road will afford employment for great numbers of workmen, but my impression is they are much more likely to come from the United States and the old provinces of Canada than from Europe, and unless some other steps are taken to direct emigration from Europe this way, they are not likely to come to this country. The second and third resolutions may be regarded in England somewhat in this way: English statesmen may be disposed to tell us after all we propose to do that the disposal of their surplus population is a matter for themselves and not for us to deal with, and therefore we may be stepping beyond our powers as a Parliament.

With reference to the grant of one half the fertile land in the North-West for the purpose of building the railway, I do not suppose any one would object very seriously to it, but it seems to me to be very doubtful whether the Government are going to get a very large number of immigrants to come in and pay two dollars per acre for the land on which they are expected to settle. There is an apparent contradiction between that resolution and the former one. The former resolution speaks of the poverty stricken inhabitants of Great Britain, who are in need of homes, and this resolution provides that the land shall be sold at a price of not lesss than two dollars an acre. The man who is too poor to live in England will be too poor to pay two dollars an acre for land in the North-West or any other place—particularly after he has paid his passage out to that region—and the number of poor people who will come out to settle on these lands will be very small indeed. The fifth,sixth, and seventh resolutions refer to the change in the location of the Pacific Railway west of Red River, which has been recently decided upon by the Government, and I think that the attention of the House ought to be directed somewhat more than it has been to that matter. There were three objects to be attained by building the Pacific Railway. The first, and principal one, was the necessity for direct communication by railway with the inhabited portions of British Columbia. Now, it appears to me that the eighth resolution, which speaks of further explorations in the Peace River country, and which contemplates reaching the Pacific Ocean at a point far north of the inhabited portions of British Columbia will not carry out that most essential object, in the building of the railway. The next object that was dealt with at considerable length in former years when this matter was first talked about, was to afford the shortest railway communication across the continent. We were told when the scheme was broached that the route by the Canadian Pacific Railway would be some five hundred miles shorter than the American route, and that trade from Japan and China would find it shorter and cheaper to seek its way across the continent through British Columbia than it would via San Francisco. Now, every diversion of the road from the direct line does away with that great advantage which is claimed for this road. As soon as it loses the advantage of being the shortest route it loses all the advantage it has over the American route, and if we have any expectation of its being, in the future, a great highway for transcontinental traffic, we must build it by the most direct line and with the best gradients that can be obtained. The change of location to the south of Lake Manitoba will increase the length of the road by thirty miles as compared with the present line. Thirty miles is not a very serious matter, but still it is something that deserves to be considered. I notice that the Minister of Public Works, in his speech on the Pacific Railway, has intimated that this change of the location of the route to the south of Lake Manitoba was only a temporary thing ; that the Government would probably, at some future time, build the road according to the original location across the Narrows. It seems to me it must strike every hon. gentleman—and the hon. gentleman for Saugeen with particular force—that this is a mistake, as a private company had been formed in Manitoba for the purpose of building this road south of the Lake ; they were prepared to do all the work, as regards colonization, that will be done by the road the Government now propose to build. But the Government have taken it out of this Company's hands and have undertaken to spend over a million of dollars to build a road that will lengthen the line thirty miles, and at some future time, they propose to construct the road on the original location also. I do not see how such a scheme as that can commend itself to any hon. gentleman who stops to consider it, and I am sure that it will not commend itself to the hon. gentleman from Saugeen. As regards the eighth resolution, I venture to dissent from it altogether. If we were building a colonization railway line, of course one of the objects of the road should be, if it could be done without too great a diversion from the shortest route, to open up the country. But that is not the main object. The main objects are to get by the shortest possible route to the inhabited portion of British Columbia, and to construct the shortest possible line across the continent for commercial purposes. I do not think that explora-

tions in the Peace River Country are at all necessary or desirable for either of those purposes. The Peace River Pass is somewhere about latitude 55—some six hundred miles north of the settled portion of British Columbia—and the road which would be built there would strike the Pacific nearly as far north as the mouth of the Skeena River or Port Simpson. Hon. gentlemen will see that a road which had its terminus there, would not carry out the contract with British Columbia at all, as it would be 500 miles north of the inhabited portion of the province. It seems to me, therefore, that further exploration in that district for railroad purposes is a mistake and a waste of money. The Government have been making explorations across the continent, on the line of the Pacific Railway, now for eight or nine years, and I regret to say that our knowledge of the route is not, in some respects, by any means as definite as it ought to be. Taking the end which is now under construction, after the immense amount of money which has been spent in the way of surveys and explorations, when it came to be built, as appears from the report of the committee who have lately been investigating the matter, it was found that the engineers and those who let the contracts had a very inaccurate knowledge of the country through which the road was being constructed. It seems to me that there is something very defective in the arrangements of the Public Works Department in connection with these surveys and locations.

Hon. Mr. MACPHERSON—Hear, hear.

Hon. Mr. POWER—I think some other system ought to be adopted. With reference to the surveys and explorations in the northern part of British Columbia, they have not been properly conducted. The summer in that northern region, up to the 55th parallel, is short and delightful. Some of the explorers who are sent out there are not men of engineering skill or technical education. One of them was sent with an engineering corps as a photographer. These gentlemen go into a country in the bloom of the year. They remain there a couple of months, when everything is looking particularly charming, and before the cold weather sets in they leave for home, and report to the Chief Engineer that they found a beautiful country with rich vegetation. It is a well known fact that when an explorer is sent into a new country, if it looks any way well his natural tendency is to consider it one of the finest countries in the world, and to report accordingly. I have no doubt that the explorers who will visit the Peace River district will go there in June and return before October. They will give a most glowing account of the country, and the Government will hardly have the fortitude to resist the recommendations to build the railway through a country that promises so much. But if the Government desire to obtain an accurate knowledge of the country before locating their line, the proper way to do so would be to send explorers who would spend a whole year in that district, and who would in that way obtain reliable information as to the climate and depth of snow. I think that the location of a railway through a country upon the basis of explorations which have been made only in the summer, is a gross blunder. I have no doubt that the Peace River country is very fertile, even though the winters are rather long, but it seems to me that in going away so many hundreds of miles out of the direct route of the railway for the purpose of tapping that section, the Government are departing from the object for which this road was undertaken, and I think, in that respect, that the plan suggested by the late Administration was the better one. As I understand it, the proposal of the late Government was to locate the road in the most direct way to the inhabited portion of British Columbia, and the shortest way across the continent, and then incorporate companies for the purpose of building colonization roads or branch lines through the inhabited districts of the Nor'-West. It seems to me that it would be the best way, as it would be easy after the country had become populated to build a branch up to the Peace River district. The next resolution speaks of the selection of Burrard Inlet as the terminus of the Pacific Railway, as being premature. I do not think that statement is altogether a correct one. It can hardly be said that after eight years of survey the action was premature; it certainly was not hasty. There

have been a great many explorations and surveys made in that country, and hon. gentlemen, of course, have had the various reports of the Chief Engineer in their hands. There is this to be said with reference to the Burrard Inlet route. Years ago the engineer who had charge of that section, Mr. Moberly, who had lived for some thirteen years in British Columbia, came to the conclusion that Burrard Inlet was the only practicable and available terminus. The route has been gone over very frequently since, and every engineer, with one exception, declares that the Burrard Inlet is the best, in fact, the only practicable route for the railway. That one exception is Mr. Marcus Smith, and I must say that I do not think the fact that his opinion differs from that of some eight or nine others, is any evidence that the others are wrong where they are unanimous. I think it can be easily seen, from certain circumstances that have transpired, that Mr. Smith is a man of rather strong prejudices. The reports are all in favor of the Burrard Inlet route as against the Bute Inlet, and I do not think that the Government could, without breach of faith, adopt any of the northern routes. There were only two objections urged to the Burrard Inlet route. One was that the road would go too near the American boundary. But the road through Manitoba will not be very far from the American frontier, and we had better build our railways for a state of peace rather than for a state of war. It is argued that war vessels could come through the straits of Juan de Fuca to Burrard Inlet. It may be replied that the same vessels could come down by Queen Charlotte sound by the north of Vancouver's Island to Bute Inlet. Another objection was that there was some seventy miles of towage for sailing vessels through the Straits of Juan de Fuca to Burrard Inlet. If that objection is strong, as applied to Burrard Inlet, it is much stronger as applied to Bute Inlet, because a vessel going to the latter place has to be towed some eighty miles further up. It appears to me, from all the information that could be acquired, Burrard Inlet was the proper place to select for the terminus of the railway. There is one feature connected with the Burrard Inlet terminus which, I do not think, has been alluded to in the debate in the other House. It is a matter which affects the trade from China and Japan coming east. I have been informed by a gentleman, who is familiar with the coast, that vessels coming from Japan and China to San Francisco almost invariably strike the coast south of Vancouver Island. They have then to beat down from the Straits of Fuca to San Francisco, and as the winds are generally ahead it takes more than a week to go down. Hon. gentlemen will see that if the terminus of our road is close to the Straits of Fuca, freight coming from China and Japan would prefer to take our route across the continent because it would save a week of difficult and tedious navigation from there to San Francisco. On the other hand if the railway is carried away north to Port Simpson, it is out of the course of trade ; the curent is very strong, the wind is adverse, the coast is a dangerous one, and trading vessels will not favor that route. Looking at the matter from a commercial point of view the Burrard Inlet route is decidedly preferable to the extreme northern one. As to the tenth and eleventh resolutions, I think they are very serious ones indeed. It is a very important conclusion, and I think that this House will deliberate a while before coming to it. If the Government are to make further explorations it will take the whole of this season ; then, after the explorations are finished, location surveys will have to be made, as they are particularly necessary in a difficult country like British Columbia, and it is impossible that the Government could be in a position to begin actual work on that end of the road during the present season. For this reason the Government are not justified in asking Parliament to authorize them to build 125 miles of railway without giving the House any idea at all of where this 125 miles of road is to be located. Some years ago this House rejected a Bill to provide for the construction of the Nanaimo and Esquimalt Railway, and we have no guarantee that this 125 miles should not include the Nanaimo and Esquimalt road. Or it might be part of the road terminating at Port Simpson —a road that would not carry out the contract with British Columbia. Or it might be a road terminating at Bute Inlet, a terminus that does not meet with the approval of the engineers. As the

necessary location surveys cannot be made before the end of the season, I do not think the Government are justified in asking Parliament to authorize them to construct that road until next session. No one can suppose that 125 miles of railway can be constructed in British Columbia for a less sum than $7,000,000, and yet this Parliament is authorizing the Government to spend seven millions of dollars no one knows where, but somewhere in the vast wilderness that lies the other side of the Rocky Mountains. Hon. gentlemen will remember that last year there was a Bill before Parliament, proposing to authorize the then Government to enter into a lease with a railway company for the running of the Pembina Branch, and this House was so jealous of its rights, and the rights of the public, that it declined to pass the Bill without the provision that the lease should be laid before the Senate and endorsed by them before it could become operative. If we were perfectly right in that matter, we should be altogether wrong in this. In that case there was no question of expending the public money, there was no question of deciding the future of any part of the country, for a long time. It was simply a question of making traffic arrangements with a railway company for a limited period, and there was a provision in the Bill that this arrangement was not to continue after the road from Thunder Bay to Selkirk was completed. I hope that the hon. gentlemen who last session were so jealous of their prerogative, and declined to give the Government what they thought would be an unreasonable power, will be as careful and scrupulous now. The late Government have been blamed for certain errors, that were made in connection with this Pacific Railway. The present Government, to my mind, have made what I consider to be mistakes also. I do not think, however, that either the late Government or the present Government are the parties who are directly responsible for those errors, and for this reason—the Minister of Public Works is the officer to whom the Government look, and whose advice the Government, as a rule, take in matters connected with his Department. The Minister acts under the advice, and by the direction of his Chief Engineer.

Hon. Mr. MACDONALD—Not always; just when it suits him.

Hon. Mr. POWER—Nearly always, to my mind, if not altogether. For instance, the expenditure in connection with the Fort Francis Lock, was undertaken on the advice of the Chief Engineer.

Hon. Mr. MACDONALD—No.

Hon. Mr. MACPHERSON—It was part of the water stretches policy.

Hon. Mr. POWER—The water stretches policy was one of the favorite theories of the Chief Engineer.

Hon. Mr. MACPHERSON—No, of the Minister of Public Works.

Hon. Mr. POWER—The Minister of Public Works represented the opinion of the Chief Engineer then. Hon. gentlemen will have noticed in connection with this Pacific Railway, that the Chief Engineer lays down in his report two propositions. I contend that these two propositions—one of them in particular—are as absurd as any propositions that have even been laid before a Government by any officer. One of these propositions is to spend $800,000 in building what the Engineer calls "a territorial road around the north of Lake Superior." It is not the duty of this Government, in the first place, to build roads of that character in Ontario; in the next place, if it were built it would be utterly useless, and in the third place, the sum of $800,000 would not locate the road all around the north of Lake Superior, and, in the fourth place, if the object suggested by the Chief Engineer were carried out, and this road were allowed to remain unimproved for twenty years until the Canada Pacific Railway was completed, it would probably be found that that portion of the road would have the heaviest growth of timber on it that would be found along the line. Another proposition is to spend $900,000 to render French River navigable up to Cantin's Bay. Very few were prepared to defend that scheme, and it was universally condemned by those gentlemen who spoke in this House. Anyone with any capacity

for business would consider that it would be a much wiser policy to expend the money in extending the railway to Spanish River. My impression is that the Chief Engineer, although an able man, is not a very practical man; that he is a man whose views about very important matters change. If those changes of opinion and those theoretical views were only the private views of the Chief Engineer and did not cost the country anything, it would not be a matter that would interest anyone, and it would be exceedingly improper for me to speak as I have spoken of the Engineer, but when these mistakes have shown a want of business capacity in a public officer, who may involve the loss of large sums of money to the country, I think it is necessary that the public should understand exactly where the blame has to be laid, and what the character of the man is with whom they have to deal. The reason why I advert to it particularly is this: the locating and placing under contract of this 125 miles, which the Government are now asking for authority to do, rests upon the unaided judgment of the Chief Engineer. He has to receive the reports of his subordinates, and he will report to the Minister of Public Works; the latter will, as a matter of course, adopt the suggestions of the Chief Engineer. And I think, looking at the number of times that the opinions of the Chief Engineer have changed, and at the mistakes that he has made, it will be quite plain to this House that we are running great risk in authorizing the expenditure of such a large sum of money in a project, when it has to rest upon the judgment of the Engineer-in-Chief. I think if the Government feel it necessary to make other explorations and surveys in British Columbia, and the country beyond the Rocky Mountains, then it is their duty to postpone the letting of the contracts until their decision shall have been submitted to this Legislature next session. I do not believe, myself, that any work can be done this season, and unless some better cause has been shown than we have had so far I do not think we ought to pass this 11th clause, and place such dangerous power in the hands of the Government and the Chief Engineer. I would suggest that the 11th resolution be amended by inserting two small words after the word "miles." I would suggest that the words "and not," and it will then read, "not exceeding 125 miles, and not without the further sanction of Parliament."

Hon. Mr. BELLEROSE—I approve of the resolutions that the Government have submitted to the House, and, as I do not desire at this late period of the session to enter into the merits of the question, I rise principally for the purpose of congratulating the Government on the policy that they have adopted—I only regret that that policy was not adopted a little sooner. In reading over the debates in the other Chamber I found that the following remarks were used by a member of the Government:

> "At the same time we are exposed at Burrard Inlet to have our line tapped by an easy line of railway of some sixty miles in length above Burrard Inlet, and carrying the trade and business of Canada down to a new San Francisco, largely built up by Canadian trade and by Canadian traffic. Now, I am not willing, if it can be avoided, to say that the terminus of a great Canadian Pacific Railway should be at Portland on the one side, and at Holmes' Harbor on the other—both on American territory. I believe that if it can be avoided, it is highly desirable that we should not expose ourselves to such a position as that, and I look upon this as a great obstacle in the way of the adoption of that line."

Hon. Mr. MACDONALD — Whose speech is that from?

Hon. Mr. BELLEROSE—It is from the speech of the mover of the resolutions in the other House. It is the policy of the Government on which they are working now, and I am happy to see it, as it is better late than never. The Government are now willing to adopt a longer line in order to avoid the danger of the United States utilizing our railway to build up their own ports. I must say that I was astonished the other day to hear some hon. members of this House say that because another route was the shortest that they would adopt it, even though it were to the advantage of American seaports. I was surprised to hear it, and I could not let this opportunity pass without congratulating the Government upon the fact that they have opened their eyes to the true policy of the country, and I trust they will in the future abide by it, as the money of this country ought not to be invested in railways that will build up

the trade of a foreign nation. Canada for the Canadians has been a leading cry throughout the country, and I hope that it will continue to be our motto.

Hon. Mr. TRUDEL—I have read with the greatest pleasure the resolutions before the House, and I think the Government are to be congratulated on having adopted such a policy. I had the honor to state to this House last year that I believed the condition of our finances was such that we would have to revert to the scheme of 1872, and have recourse to land grants as a means of constructing this railway. At the time the proposition was first made it was received with sneers by many hon. members of this House, some of whom, I have no doubt, will now vote for the present resolutions. This shows that we ought to treat propositions, submitted to this House, on their merits rather than on the standing of the persons who submit them. My hon. friend from Halifax referred to the Engineer-in-Chief of the Pacific Railway. I do not pretend to criticize the manner in which that gentleman has performed his duties, as I am not sufficiently acquainted with the facts, but I must say that a feeling prevails throughout the country that the Engineer-in-Chief has used his position to serve his own feelings and his own prejudices rather than the public interest. I do not pretend to say this feeling has any good foundation, but, as a matter of fact, it exists, and many hon. gentlemen in this House have likely heard the remark that there is written on the door of the Pacific Railway office the sentence which is, according to Dante, inscribed on the gates of a place that shall be nameless: *Lasciate ogni speranza voi che entiate.* It should, however, be written on the door of the Pacific Railway office with the following change: *Lasciate ogni speranza voi che passate.* I do not expect that under the present Administration such opinions will not prevail amongst a certain portion of the population of this Dominion, but I have too much confidence in our present Minister of Public Works to believe that he will be influenced entirely by the views of this Engineer in Chief.

Hon. Mr. KAULBACH—I do not think such an important matter as this should be brought down to this House at such a late period of the session, and rushed through almost without discussion, as a matter of necessity. We are following in the footsteps of the late Government, who shoved the Georgian Bay Branch Bill through on the last day of the session, without giving members an opportunity of thoroughly acquainting themselves with its details. I think the only way to get over this practice is for us to stay here a week and teach the Commons that they cannot continue to do this with impunity.

Hon. Mr. CAMPBELL—Will my hon. friend stay?

Hon. Mr. KAULBACH—If it is in the interests of the public I will. I am very glad to find that my hon. friend from Halifax, (Mr. Power), could not commend the late Government for their Pacific Railway policy. He certainly condemned them for undertaking the construction of portions of the road without, in the first place, having proper surveys and sufficient information on which to base their calculations. It was very pertinent, coming as it did from the hon. gentleman who assumed the position of leader of the Opposition.

Hon. Mr. POWER—I did not condemn the policy of the late Government: I condemned the policy of the Chief Engineer.

Hon. Mr. KAULBACH—The hon. gentlemen condemned the policy of the Government as based upon that of the Chief Engineer. A better policy than that now proposed by the resolutions before the House, could not be framed by any Government under the circumstances, and I believe that it will be supported by the wisdom of the country, and by parties on all sides of politics. The hon. gentleman from Halifax attempted to be a little captious, but he failed to convince this House—or even himself—that these resolutions were not the embodiment of a wise and statesmanlike policy. The hon. gentleman thinks that the last clause gives too much power to the Government to go on and construct 125 miles of railway without having additional surveys and a located line. I believe, however, that we can trust the Government as far as that

goes, as it is nothing like as important a position as that taken by the late Government when they pledged themselves to the Carnarvon terms by Order in Council in September, 1874.

Hon. Mr. POWER—What about the terms made by the previous Government?

Hon. Mr. KAULBACH—They were in an entirely different position. The time limit in that case was only an earnest that the work would be commenced and completed within a reasonable time without increasing the taxes of the country. That was the resolution of the House. I am glad to see that my hon. friend, the leader of the Government has receded from the position he took the other day, when he appeared to differ from the policy that Canada should be for Canadians, and that the St. Lawrence should be the great outlet for the trade of the country. I am very glad, with my hon. friend from De Lanaudiere, that the policy of the Government is, that it is dangerous to allow this great railway to be tapped by the Americans at Burrard Inlet. I am very glad also that that seems now to be the view of my hon. friend from British Columbia, (Mr. Macdonald.) The other day he took a different ground, when it was a matter affecting the eastern provinces of the Dominion in relation to the Coteau Bridge.

Hon. Mr. MACDONALD—The hon. gentleman's arguments in relation to myself do not hold good, for this reason: he expresses full confidence in the Government carrying out these resolutions, and I, in the Coteau Bridge matter, put my confidence in the Government that they would do what was best for the interest of the country. The resolutions, on the whole, meet my views; they are bold of grasp and conception and I believe that the late Government could never have conceived such a policy as this. The idea of utilizing the lands of the North West in this way is an excellent one. What is the use of this land to us unless it is for the purpose of building our railway? In that connection I would say we have land reserved for railway purposes in British Columbia and immigrants who come amongst us cannot get a single acre on which to settle. They squat on the railway reserve not knowing what price they will have to pay for it. But I am glad to see by this Bill that a price is fixed —$2. an acre.

Hon. Mr. REESOR—It is not to be less than $2. an acre.

Hon. Mr. MACDONALD—The railway reserve is a great evil in British Columbia as immigrants cannot secure farms and the consequence is they leave the country and go to the United States. I trust that the Government will not lose sight of this matter and that they will do what they can to remedy this evil as soon as possible. I have to congratulate the hon. member for Halifax on having changed his opinion in relation to the repudiation of the contract with British Columbia. The other day he spoke of cutting the connection altogether, but now he seems once more to be clothed and in his right mind, and speaks of carrying out the conditions on which that Province entered into the Confederation. He spoke of the Government having taken a piece of the railway south of Lake Manitoba out of the hands of a private company to build it themselves. I think they acted wisely in that, as it would not be a good policy to allow private companies to build the easiest part of the road and construct the most difficult portions of it themselves. With regard to the Chief Engineer and the unsatisfactory state of affairs in his department, I quite agree in what has been said. The late Government pursued a weak policy—one day water stretches, another day something else. Unfortunately the Engineer's object seemed to be to satisfy the Government rather than have an independent opinion of his own. The only engineer who had an independent opinion was cast aside and his suggestions were not listened to, as the Government could not bend him or swerve him from his honest convictions. In consequence of his independence of character he suffered a great deal of odium. The Chief Engineer was ordered not to communicate with him, and his reports were not printed. I trust that under the present Government he will receive justice and the recognition that his faithful services deserve. The Government speak of building the railway through British Columbia as the best means of securing the trade

from Japan and China. To a certain extent this is a wise policy. But we must fill up our own country first, in order to make it a success, and unless we run the railway through the fertile territory, we cannot settle the great North-West rapidly so as to provide local traffic. If we follow the present location, it is through a sterile country, difficult for railway construction, and very expensive works would be required—some 60 or 70 bridges. I am told that if the northern route is adopted, through Pine River Pass, it will go through a very fertile country; that the saving in construction from Duck Mountains to the edge of the Rocky Mountains will be from six to ten millions of dollars, an amount which would be sufficient to build the road to a harbor on Vancouver Island, where it would defy American competition, because it is nearer the ocean and easier of access. The route would be a little longer, but the advantages would be a thousand times greater than going further north to Port Simpson. I deprecate any exploration of the Port Simpson route; that is only a hobby of Mr. Fleming's. The Government last year sent out an engineer, Mr. Hunter, to explore the Pine River Pass. Unfortunately, he was a strong advocate of the Fraser River route, but he acted in a straightforward manner and reported the Pine River Pass as being most favorable for railway purposes—a beautiful country, finely timbered, with plenty of water, and a lower elevation than the Yellow Head Pass. I believe quite enough is now known of the Pine River Pass, but to the east of it, towards Duck Mountains, the country has not been sufficiently explored, and it ought to be surveyed as soon as possible. There is nothing to cause delay in commencing work in British Columbia this year. The hon. gentleman from Halifax spoke of the towage that was necessary for vessels passing up through the Straits of Fuca to Bute Inlet. It has never been intended that vessels should be towed to Bute Inlet. That harbor is merely a stopping place for the ferry, as the terminus would be on Vancouver Island. The navigation is intricate along the shore, and the railway must go to the Island. The great danger of going to Burrard Inlet, is that the terminus will be too near the American frontier, and it will be very easy to tap our trade there. Directly the line was located on the Fraser River route, they would at once take steps to build a town close by and connect our road with theirs, if they saw any advantage to be gained by it. With regard to giving the Government power to build this 125 miles, the hon. gentleman from Halifax has used a very lame argument He said if further explorations had to be made this year, the Government could not commence construction this season; at the same time he says that Parliament is giving them power to expend $7,000,000 before next session. Even though they should commence work this year, they could not possibly spend $500,000 before Parliament meets again.

Hon. Mr. POWER—The danger is that they might be committed to an undesirable route.

Hon. Mr. MACDONALD—Parliament is not competent to settle the route; it must be left to the engineers and the Government. It is impossible for members from any other province to settle a route for us. We advocate the location according to our views, but the Government and the engineers must decide the advisability of adopting it.

The motion was agreed to.

THIRD READINGS.

The folllowing Bills were read the third time and passed without debate.

Bill (106) "An Act respecting the keeping of dangerous lunatics in the North-West Territories."

Bill (115) "An Act to continue in force for a limited time 'The better prevention of Crime Act, 1878.'"

THE TARIFF BILL.

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of

Bill (9) "An Act to alter the Duties on Customs and Excise."

Hon. Mr. SCOTT—It may naturally be expected that I should make some re-

marks on the Tariff Bill, though the time has passed that a speech would be of advantage to ourselves or to the public. I am not like my hon. friend from Woodstock; I do not speak for the public unless I can see some advantage to be gained by it, and it would seem like trespassing upon the time of the House to enter into a long discussion of the question at this late period of the session.

Hon. Mr. DICKEY—Speak for posterity.

Hon. Mr. SCOTT—Possibly posterity will be more enlightened by the experience that the country will have during the next two or three years than by anything that I can say on this subject. A great error has been committed in placing the questions of free trade and protection in juxtaposition. We have no free trade in this country. Canada must have a tariff; we must have a revenue in the neighborhood of $24,000,000 or $25,000,000 a year—an increasing revenue—and, therefore, it is idle to be discussing this measure on the principles of free trade vs. protection. The grand point to be arrived at in our tariff is so to equalize our duties that they will fall equally on all classes of the community, and that the few will not be benefited at the expense of the great mass of the people. That is, I think, the true principle on which to base our tariff. The greatest objection that I have to the measure now before us, is that it is based upon the idea that Canada is to become a great manufacturing country; that this tariff is to build up manufactures, and to keep Canada for Canadians. While I am in accord with the latter sentiment, I consider that this policy of taxing the many for the benefit of a few, is a very grave error. It is idle to go at very great length into this subject to-day, because to do it justice, one would require not hours, but days. Books have been written on this question, volume after volume, from both points of view, and the world does not seem to have gathered much light from either. It is only by illustration and by practically applying it to all our trades and industries, that we can learn whether the particular interests that we are desirous of serving are going to be benefited or not. I believe that the increase in duties by this protective tariff, will not benefit in the gross twenty-five thousand of the people of this Dominion. Assuming that we are a population of 4,000,000, you are taxing 3,975,000 for the benefit of the remaining 25,000.

Hon. Mr. MACPHERSON—You are only receiving the amount of duties necessary to raise the revenue.

Hon. Mr. SCOTT—I started with this basis, that the duties ought to be so distributed that they will bear equally upon all classes in the Dominion, in proportion to the interests each one may have in the country, but I maintain that the effect of this tariff is not in that direction—that it is professedly arranged to give a stimulus to some manufactures that are in no sense congenial to a country like Canada. I had not the pleasure of hearing all the remarks of the hon. Senator for Saugeen on this question. I only heard a portion of his speech in which he ridiculed the assumption of the hon. Senator for Lambton, that the tax was in any sense a bonus to manufacturers. I can point to several instances, however, in which it will operate as a bonus, and I think I can logically prove the fact.

Hon. Mr. MACPHERSON—What I ridiculed was the idea of a free trader like the hon. gentleman, (Mr. Brown), preferring to pay bounties to the iron trade at Londonderry and the coal miners of Nova Scotia, rather than to place a duty on these articles.

Hon. Mr. SCOTT—It is practically the same thing. If an individual gets a bounty you pay it out of the revenue, and under the other system you compel only a limited portion of the community to pay it. Take the coal interest as an illustration. Assuming that Montreal consumes 50,000 tons of coal annually, and the average price is $5 per ton: of course the object of the tariff is to increase the price in Nova Scotia and give them the benefit of 50 cents per ton over foreign coal. The Nova Scotia coal has the preference in Montreal by that fifty cents. Now, if the Americans can sell this coal at five dollars, and pay the duty, and Nova Scotia can reduce theirs and sell it at $4.90 they get the benefit of forty cents

a ton. Assuming that there is that difference, surely it must be perfectly clear that Montreal pays $20,000 towards Nova Scotia coal, because, without that, she could get the coal from the United States for $4.50. But Montreal has to give that $20,000 to Nova Scotia because Parliament says "You must buy your coal from Nova Scotia." Take, for instance, the article of starch. It is a small article, but it will serve to illustrate my argument. Under the last census, the number of people engaged in that industry in Canada was seventy-two —men, women and children. In Middlesex, 11; Brant, 14; Edwardsburgh, 38; Huntingdon, 5, and Compton, 4, many of the operatives being women and children. The annual wages earned by them is $27,100. The duty on starch is two cents per pound, and the amount paid in duty for the year 1876, the returns of which I have before me, was $27,590. Now, it is perfectly obvious that the people of this country—many of them of the poorest class—had to submit to that tax of $27,590, in order to keep those 72 hands employed, because, without that tax of two cents per pound, not one of those starch factories would have been running, as starch can be made cheaper in other countries than we can afford to manufacture it. It would have been cheaper by $500 to have paid the employes a pension equal to their wages, and allowed starch to come into the country free.

Hon. Mr. MACPHERSON—How much money was kept in the country?

Hon. Mr. SCOTT—If you employ people in work at which they cannot make sufficient profit to live by, I say it is a mistaken policy to encourage such industries. Is it possible that the people of this country can compete with the people of Switzerland in the manufacture of watches? There it is the trade of the country; it is divided into over twenty different branches, springs, wheels, hands, dials, cases, etc., and will it be alleged that by any amount of protection we can stimulate the manufacture of watch making to rival the Swiss?

Hon. Mr. DICKEY—How about the United States?

Hon. Mr. SCOTT—We cannot do it any more than we could, by protection on silk, rival the silk manufacturers of France, or that we could rival the Italians in painting, or the Japanese in lacquer work. The people in those countries are brought up from childhood to do certain lines of work and by that means arrive at great perfection. I think it will require very little argument, and very little logic, to show that there is a great variety of trades that it will not be possible for Canada to venture to engage in. I cannot see what advantage it is for us to pay twice the money for an article manufactured in Canada, when it can be purchased for one half elsewhere. I think it is mistaken industry for the people to be employed in the production of articles that can be produced elsewhere very much cheaper than in Canada. My hon. friend for Saugeen thinks it is necessary to do somethiug, or some action has to be taken in the way of legislation for the prosperity of the country in order to keep our young men in Canada. I had hoped that he was going on to prove that the inauguration of this protective policy that is stimulating all our industries, as it is said, was going to give employment for a considerable number of people, but I have failed to hear any hon. gentleman who has yet spoken on this subject explain what particular branches of industry are to be stimulated to any considerable extent by it. I think the whole argument of the gentlemen who approve of this tariff can only be sustained by showing what particular branches of manufacture are to be strengthened and improved by this policy. I think I was extreme in placing the number of persons who are going to benefit by the tariff at 25,000, as I have endeavored in vain to see where the additional labor is to be employed under the artificial system of supporting those industries.

Hon. Mr. CAMPBELL—For instance there are three or four hundred in Montreal, and two or three hundred more in Hamilton.

Hon. Mr. SCOTT—I will admit that the sugar refinery will go into operation in Montreal, but I hear through the newspapers that the numbers of hands has been reduced in many factories in conse-

quence of the high duties on the raw material. I have seen in the papers that numerous mills have been closed in consequence of the tariff.

Hon. Mr. TRUDEL—Can you mention the name of one?

Hon. Mr. SCOTT—I cannot; it is what I have seen in the newspapers, but I can imagine that the moment you throw any obstacle in the way of trade you naturally embarrass manufacturers.

At 1 p. m. Hon. Mr. Scott moved the adjournment of the debate.

The motion was agreed to.

BILL INTRODUCED.

The following Bill from the Commons was introduced and read the first time:

Bill (116) "An Act further to amend 'The Canadian Pacific Railway Act, 1874.'"

The House adjourned at 1.15 p. m.

AFTERNOON SITTING.

The SPEAKER took the chair at 2.30 p. m.

Routine proceedings.

THE PACIFIC RAILWAY.

INQUIRY.

Hon. Mr. MACPHERSON rose to call the attention of the House to the "motions, proceedings and votes" reported by the Select Committee of the Senate appointed to inquire into all matters relating to the survey, location and construction of the Canadian Pacific Railway and Telegraph west of Lake Superior, with power to send for persons, papers and records to take evidence under oath, and to report to this House from time to time; and to enquire whether the Government had decided to fill the dry voids remaining to be filled on Section 15 of the Canadian Pacific Railway with trestle-work, as specified in the contract, or to substitute solid embankments therefor?

Hon. Mr. SCOTT said the House could not discuss the matter intelligibly without having the evidence before them.

Hon. Mr. MACPHERSON—The hon. gentleman knows what the evidence was as well as I do. I intend to go briefly into the matter, as there are some points in evidence which are before the House.

Hon. Mr. SCOTT—I rise to a point of order—whether it is proper to take this mode of bringing before the House the report of a committee which is not in the hands of the House, in consequence of the whole of the evidence not being printed. I think if any other hon. gentleman were to pursue that course, my hon. friend would be the first to bring before the notice of the House the unfairness of such a discussion. He, as chairman of the Committee, is armed with all the points. With the exception of the members who were on that Committee this House knows nothing of the facts. I think it is clearly irregular to proceed with this debate.

Hon. Mr. MACPHERSON—The hon. gentleman knows very well that the evidence cannot be before the House this session, and unless some attention is called to the matter in the way that I propose to do it cannot be done at all. I cannot move the adoption of the report for the reason that he knows, but I think it is a pity that the session should close without some attention being called to the facts. I believe that I am perfectly in order, and that the notice I have given is one that is not restricted in its application in the way that the hon. gentleman has stated.

Hon. Mr. PENNY—On a recent occasion I called attention to the fact that my hon. friend from Halifax had brought in a motion in this form and it had been ruled out of order. I then reminded the hon. gentleman from Kingston who said it was irregular, that if that was the rule I should insist upon it being followed in the future.

Hon. Mr. CAMPBELL—The English rule and practice are that attention can be called to a subject, provided that a question is placed at the end of the notice, and my

hon. friend from Alma will find that that distinction was drawn between the notice of the hon. gentleman from Halifax, and the notice now before the House. I do not know the course which the hon. gentleman for Saugeen proposes to pursue in making this enquiry, nor the remarks he intends to make. I hope that he will not go into the evidence taken before the Committee as it is not before the House. The report of the Committee is before the House, and, I suppose, so far as his allegations are concerned, it is open to discuss them.

Hon. Mr. DICKEY—The notice is simply that the hon. gentleman will call attention to the "Motions, Proceedings and Votes," and his enquiry is simply as to what the intention of the Government is. It seems to me that it would be hard to deprive the hon. gentleman of the opportunity to make his remarks.

Hon. Mr. CHRISTIE—It is, in my judgment, irregular to go into a discussion of this matter. In the absence of the evidence, it is very clear that no intelligent decision can be come to, even on the motions, proceedings and votes of that Committee, because the votes and proceedings are founded on the evidence.

Hon. Mr. MACPHERSON—I am not going to ask the House to come to a decision. I am going to call attention to the motions, votes and proceedings. I will not say, and cannot say, that I shall not refer to the evidence and to the facts and information in my possession. It would be ridiculous to restrain myself in that way, but I maintain that I have a right to refer to everything that was in the possession of the Committee, and I have the right to do it under that form. It should be remembered that the evidence was printed as it went on, and I think the whole of it, except some schedules, which were really not part of the evidence, was in the hands of members. I believe I have a right to refer to the evidence and to call attention to it, just as I would have to call attention to another matter and to make use of all the information in my possession, and to show where I got it.

Hon. Mr. CHRISTIE—I still maintain that that proceeding would be irregular and improper. The hon. gentleman has admitted that in the discussion of this matter he will not be limited, that he must refer to the evidence. If the whole of the evidence is not in the House it will be a one-sided discussion.

Hon. Mr. MACPHERSON—I am not asking a decision.

Hon. Mr. CHRISTIE—The hon. gentleman is asking what is tantamount to a decision; he is asking the leader of the Government to anticipate the policy of the Government in this matter, which he cannot do, because he is not in possession of the evidence.

Hon. Mr. CAMPBELL—But the Government would be competent to say what their policy is without that evidence.

Hon. Mr. CHRISTIE—Then the discussion must be limited to the Chairman of the Committee, because other members of the House are not in a position to engage in the discussion.

Hon. Mr. MACPHERSON—It will be remembered that this form was adopted for the purpose of doing away with motions for papers, a practice which was attended with inconvenience and expense. It would be competent for me to move that this evidence, or any papers I choose—correspondence, for instance, between the Engineers and the Department of Public Works upon this subject — should be brought down, and upon that motion I could go into all this evidence and everything connected with the subject, and no question as to its regularity could be raised.

Hon. Mr. CHRISTIE pressed his point of order.

Hon. Mr. DICKEY said it was time enough to raise the point of order when the hon. gentleman was out of order.

Hon. Mr. MACPHERSON—It is entirely in my own discretion, and I set no bounds to myself in the matter.

Hon. Mr. SCOTT—Does the hon. gentleman propose to go as fully into the

question as if the evidence were before the House?

Hon. Mr. MACPHERSON—I cannot tell. I do not know myself. I intended to go into it as briefly as possible. I am sorry to see that it is only the members who were on the committee object.

Hon. Mr. PENNY—That is a very unfair way of putting it. We do not object to the discussion, but we do object to its being done in an improper manner.

Mr. SPEAKER—What is the state of the evidence in this matter?

Hon. Mr. AIKINS—The evidence taken before the Committee is printed and in the hands of the members of the Committee.

Hon. Mr. SCOTT—It is not all printed. If I had been present at all the meetings of the Committee myself I would not object to the discussion; but I was not there, and I have not read the printed evidence, while the chairman, who was there, is possessed of all the facts, and I cannot refer to the evidence, or that part of it that may sustain the view which he takes.

Hon. Mr. AIKINS—That is the misfortune of the hon. gentleman.

Hon. Mr. SCOTT—As the evidence is not before the House, hon. members are not in a position to rebut any statements that may be made.

Hon. Mr. MACPHERSON—I am not going to ask for a decision.

Hon. Mr. SCOTT—The hon. gentleman wants to reflect on somebody.

Hon. Mr. MACPHERSON—No, I do not.

Hon. Mr. BOTSFORD—I was not on the Committee, and I do not think it is right that reference should be made to any evidence that is not before the Senate.

Hon. Mr. CHRISTIE—I question if the evidence has been read by half a dozen members of the House, because it was not presented in a complete and continuous form, and, therefore, to go into a discussion of the motions, votes and proceedings of that Committee, I contend, is irregular.

Hon. Mr. CAMPBELL—It seems to me that the rule is plain enough. The hon. gentleman has a right to make an enquiry of the Government, and he has a right to preface it by any allegations he thinks necessary to elicit the information he is about to ask for. I think the hon. gentleman is in a position to call attention to that subject, and he is entitled to put his question; but it seems to me that he is not, however, in a position to go into evidence that is not before the House.

Hon. Mr. CHRISTIE—I ask if it is regular and in accordance with parliamentary practice to go into a discussion when the evidence on which that discussion was supposed to be founded was not before the House?

Hon. Mr. MACPHERSON—I am not going into the evidence.

Hon. Mr. DICKEY—There is no question before the House. The hon. gentleman has stated what his intention was, but he has not made any statement which can be excepted to by any gentleman, and I say that it is irregular to ask the House to make a decision upon a possible contingency that may never arise. It is quite open to any hon. gentleman, when the hon. Senator for Saugeen infringes the rule of the House, to call him to order.

Hon. Mr. HAYTHORNE—I just wish to say that the hon. Senator for Saugeen and the hon. Secretary of State have no right to affirm that the opposition to allowing the hon. gentleman, (Mr. Macpherson), to go on with his statement to-night has proceeded from members of the Committee. I have not opened my mouth on this question yet, and therefore those hon. gentlemen should retract that assertion so far as I am concerned.

Hon. Mr. MACPHERSON—I make the retraction at once so far as the hon. gentleman is concerned. He has always been very fair.

Hon. Mr. AIKINS—I was not aware that the hon. gentleman was a member of the Committee.

Hon. Mr. MACPHERSON—I have no desire to compromise any one or to cast grave responsibility on any official. My only object has been to get at the facts with respect to the expenditure in the construction of the Pacific Railway between Lake Superior and the Red River. I was assured, on such authority as led me to believe it, that the cost greatly exceeded the estimates aud that it was a matter for public enquiry. It was for that purpose only that I moved for a Committee to investigate it. Nothing elicited in that enquiry could affect the late Government, because they were out of office. I could not have gone into anything with more singleness of purpose so far as that is concerned. I think that the members of the Committee will admit that my desire was to elicit the facts, and nothing more. When I moved for the Committee I said:

"I am induced to ask the House for this Committee because I am credibly informed, and have reason to believe that the construction of the Pacific Railway, so far as it has proceeded, has cost the country much more than was estimated. The House knows that the survey of the road was very costly, and there must have been some very extraordinary circumstances to excuse a material increase of the expenditure over the estimate. We have at Ottawa the means of getting information on the subject from the engineers."

I do not think that I put the country to the expense of one dollar for evidence. I examined the engineers who happened to be on the spot, and when I heard that any engineers were coming down from the Railway, I waited until they came here before I summoned them, so that I am certain that the inquiry cost nothing. Now, among the facts printed and admitted by all the members of the Committee was that the work cost rather more than 52½ per cent. over the estimated cost. Now, I think this is a very important fact for the country to know, and I think it is very proper and reasonable that we should inquire into it, and know the cause of this increase beyond the estimate. We have the result of the inquiry here. My object was to place the responsibility exactly where it belonged—not to try to attach responsibility to any Government or to any officer to whom it did not fairly belong. So far as the officers were concerned, I was exceedingly forbearing; I did not press matters home as I might have done, because I did not wish to bring undue blame to any one. But the result of the inquiry was to bring out the more important fact which ought to be impressed on the present Government—the necessity of having full and accurate surveys before the line is located, and before contracts are made. I was glad to hear the hon. gentleman from Halifax, in the early part of the day, dwell upon the same facts. It is astonishing that the engineers should have been so much out in their calculations, as they have been on the railway between Lake Superior and Red River. On the 1st section, from Lake Superior, only 32½ miles in length, there was an increase of more than 12½ per cent. That is more than it ought to be in a country such as that through which the railway passes. There was no difficult work—nothing that ought to have deceived the engineers. If that had been the gross increase, I would never have asked for a committee. The next section (25) is 80 miles long. The actual cost of it exceeds the estimated cost by more than one-third. That would not have occurred if the survey had been accurately made before the contract was let. The next section (15) shows a prodigious increase, amounting to $930,915 more than the estimate, or upwards of 58⅓ per cent. Section 14, which is the one that starts from Red River, and runs eastward, shows an increase of very nearly 80 per cent, and the average increase on all these sections, as I have stated, is upwards of 52½ per cent—$1,751,749. Now, I think that the country would be surprised and disappointed if such facts as these were on the table of the House, and we did not attempt to explain how they arose. The chief increase is on section 15.

Hon. Mr. McCLELAN—I rise to a point of order. The hon. gentleman is discussing a question which I do not know anything about. It cannot be intelligently discussed unless that evidence is before the House. I observe in the notice of motion that the hon. gentleman for Saugeen will call attention to the votes and proceedings of the Select Committee.

The subject of his remarks is drawn from the evidence given before that Committe.

Mr. SPEAKER—The evidence of the Committee, not being yet reported to the House, cannot be read to the House.

Hon. Mr. MACPHERSON—It has been reported to the House, and the greater part of it is printed and in the hands of members. If it will faciliate proceeding, I will move that the House adjourn.

Hon. Mr. SCOTT—You cannot evade the rule of the House in that way.

Hon. Mr. MACPHERSON — My desire is to make the matter as intelligible as possible to the House. It is rather unfortunate that they are indisposed to get the information, but I shall go on without referring to the evidence as far as I can. There are two modes by which works of this kind are undertaken by contract. One is what is called quantity contract—that is where every yard removed shall be paid for, and where the quantities are not ascertained in advance, but the measurements go on from month to month, and the work is paid for as it advances; the other is where quantities are accurately ascertained before the contract is let, and the contractor undertakes to complete the work for a certain sum. I believe that the latter is the preferable mode. It ensures the making of accurate surveys. Unless that was done, neither party would enter into the contract. In the next place it prevents the contractor having any interest adverse, as in this case, to the Government. His engagement is to complete the work for a certain sum, and it is the duty of the engineer to see that he fulfils his contract according to specification. As soon as he does that, his work is done. In the other case it is the interest of the contractor, if the prices are good, to increase the work as much as he can. He can make suggestions to the engineer which, if adopted, will increase the work; and if the engineer is a young and inexperienced man, as he very often is, he may be persuaded by a contractor, who has had more experience than himself, to assent to an increase of the work, which will very largely add to the cost. It is by the latter mode that the contracts between Lake Superior and Red River were undertaken, and the consequence has been that the expense has enormously exceeded the estimated cost—by 52½ per cent. I have seen section 15, and it is an exceedingly heavy one. It consists of a series of granite mountains with a number of small lakes and dry voids. By the original contract it was the duty of the contractor to fill those voids, both the dry voids and lakes, with trestle-work—that is trestle-work altogether in the dry voids and for the water crossings there were to be embankments made from the rock taken from the works, and upon that trestle-work placed. That was the original contract, but is seems it was, to some extent, modified.

Hon. Mr. CHRISTIE — The hon. gentleman is going into the evidence, which he alleges to be a narrative of the case. I say it is not fair that this thing should be discussed, and I rise to a point of order.

Hon. Mr. MACPHERSON—I am not referring to the evidence.

Hon. Mr. SCOTT—The difficulty is that if I deny any statement the hon. gentlemen is making, one of us will be uttering falsehoods. Now, I am prepared to take issue with the hon. Senator, and prove that the deductions which he draws from the evidence are wrong. Is it proper that he or myself should be placed in that unpleasant position? A large amount of the evidence is not before us. As far as it is possible I have desired that the hon. gentleman should have the largest latitude, but I do feel that we both may be put in a very unpleasant position if he should proceed in this manner. It would be very unseemly for me to deny what he says; and, to sustain my argument, I would be obliged to point to testimony which is altogether within my own knowledge, and which has not come down yet. I am not raising a fictitious case; I am merely illustrating the position the hon. gentleman and myself will find ourselves placed in. If the House will allow me to refer to unpublished evidence, I am quite content to enter upon the discussion, and the hon. gentleman can do the same, but I think it would be very unseemly.

Hon. Mr. MILLER—That position would, no doubt, be a very unpleasant one for both hon. gentlemen, but there are others to be thought of as well. The whole House has a right to be considered in this discussion. If hon. gentlemen are going to flatly contradict each other, we should have the means of knowing whether they make accurate statements. I am sure that the hon. Senator for Saugeen has no desire to do anything irregular.

Hon. Mr. McLELAN—The hon. Senator for Saugeen has gone no further than what is in the minutes of proceedings.

Hon. Mr. MILLER—That is not the point. The hon. gentleman is referring to matters which have not been reported to the House.

Hon. Mr. SCOTT—To show the difficulty of discussing the matter in this way, I may mention that he lays it down that the original estimates have been exceeded. I have the authority of the Chief Engineer that the estimates were wholly in round numbers, and purely for the purpose of making tenders. He says most emphatically, "I prepared them with no idea of representing the ultimate cost of the work, but with the idea that the contractors might use those estimates in framing their tenders." I did not check the hon. gentleman when he said that it cost 52 per cent more than the estimates. Mr. Fleming says that the work could not have been done cheaper; that he took the lowest tender. It is a matter in which the Chief Engineer's honor is at stake. He says under oath that those figures are illusory and that they were merely prepared in order that the contractors might relatively tender, knowing the character of the work, and that it mattered very little whether the amount of work was 500,000 cubic yards, or 100,000 cubic yards.

Hon. Mr. MACPHERSON—I have not said anything to the contrary.

Hon. Mr. CAMPBELL—Subject to the explanation, you have given them as estimates.

Hon. Mr. SCOTT—The hon. Senator for Saugeen, in endeavoring to make a case against the late Government, assumes that it cannot be controverted that there was an increase over the estimated cost of the work.

Hon. Mr. McLELAN—If the hon. gentleman knows anything about the matter, he is aware that the estimated cost of the sections under discussion was given to the country long ago. The late Premier stated to the country that he had exact estimates of what this amount of work was to cost. He says in 1875, it so happened that the most elaborate survey had been made of this section, that it would have been impossible to have had a more careful and accurate survey than was made on these 37 miles—that is section 15. In another place he says no such survey was made on the Intercolonial, as on those 37 miles. He told the House in 1875 that the whole cost of the road from Red River to Lake Superior was $15,000,000; and now we are shown that the cost will exceed that amount by $3,000,000. So the hon. Senator for Saugeen has evidence outside of anything the Committee reports that the cost is exceeding the estimate.

Hon. Mr. MACPHERSON—The evidence of the facts which I allege has been reported, and I put this point to the House—suppose I am making a statement to this House, and declare myself possessed of facts, am I reqnired to state where I got those facts?

Hon. Mr. CAMPBELL—So far as my opinion goes I think that the hon. gentleman has a perfect right to state the facts to which attention was drawn by the hon. gentleman from Londonderry. It is done upon the good faith of the hon. gentleman that he will not go beyond a reasonable latitude.

Hon. Mr. SCOTT—I contend that the hon. gentleman from Saugeen was not fair in stating that the estimates had been largely exceeded, because the Chief Engineer distinctly stated under oath that those estimates did not represent the actual cost of the work.

Hon. Mr. MACPHERSON—I would have said that if you had allowed me to

proceed. I would have shown how the estimates were arrived at.

Mr. SPEAKER ruled that the evidence could not be referred to until it was regularly before the House.

Hon. Mr. MACPHERSON—If it is really the sense of the House that they should not get this information, I shall not proceed to furnish it.

Hon. Mr. CHRISTIE—The hon. Senator for Saugeen should not state that the House is unwilling to have the information. He should not express such an opinion.

Hon. Mr. CAMPBELL—If that is his opinion, he is perfectly in order to say so.

Hon. Mr. MACPHERSON—I say sagain if it is the wish of the House not to receive the information, I shall not furnish it.

Hon. Mr. MILLER—I think it is very desirable to get the information, but it is not desirable that it should be obtained in an irregular way, by violating the principles of parliamentary practice. I think that we would be acting unwisely if, to gain a temporary advantage, we should violate a parliamentary rule, and ask the hon. member to go on, in the face of the Speaker's decision.

Hon. Mr. MACPHERSON—It is the last day of the session, and there will be no time to refer to this matter again.

Hon. Mr. SCOTT—But the hon. gentleman should not reflect on anybody.

Hon. Mr. MACPHERSON—Have I reflected on anybody ?

Hon. Mr. SCOTT—I don't suppose that the hon. gentleman meant to do so, but in discussing a matter of this kind, whether the officers did their duty, or whether they had neglected it, it is difficult to avoid reflecting on somebody. I have no objection to my hon. friend stating the case as it stands, and putting his question to the Government, but it is an extremely delicate thing to discuss the matter in the way he is doing. We don't wish to injure the reputation or standing of any engineer.

Hon. Mr. MACPHERSON—I have no intention of doing so.

Hon. Mr. SCOTT—I have no objection to my hon. friend proceeding if he does not hit anybody. He can describe this work, and ask the Government whether they will go on with earthwork or trestle-work.

Hon. Mr. CAMPBELL—That is the hon. gentleman's object.

Hon. Mr. SCOTT—If the hon. gentleman can do so without hitting somebody, I shall be surprised.

Hon. Mr. McLELAN—The hon. gentleman cannot discuss the matter without hitting somebody, and, under the circumstances, I think he should withdraw the motion.

Hon. Mr. MACPHERSON—I shall not proceed, as the time of the House is very precious. I am sorry so much of our time has been wasted by hon. gentlemen preventing me submitting the facts, but, as they have seen fit to do so, they can take the responsibility of it. Perhaps the Receiver General may see fit to state what the Government proposes to do with respect to the voids, but I shall not press him for an answer. I leave the Government perfectly free in the matter, and beg leave to withdraw the question.

Hon. Mr. CAMPBELL—I am perfectly ready to answer the question if the hon. gentleman wishes to put it.

Hon. Mr. SMITH—I think it is a strange course of proceeding. The country wishes to hear all that can be known about this matter, and why the House should wish to prevent the hon. gentleman from doing what is perfectly right and correct I cannot understand.

Hon. Mr. CHRISTIE—Order, order !

Hon. Mr. SMITH—I think it is a very strange course, and the hon. Senator should move the adjournment of the

House rather than be prevented from furnishing the information he posesses.

Hon. Mr. SCOTT—He could not do that.

Hon. Mr. MACPHERSON — Of course the hon. Senator from Ottawa could interrupt me, as he has already done, to block the inquiry.

Hon. Mr. SCOTT —If the hon. Senator's object was in the public interest to ascertain the policy of the Government, there could be no objection.

Hon. Mr. CAMPBELL—He had a right to enlarge upon everything connected with the subject.

Hon. Mr. MACPHERSON—I do not think that any of the witnesses wished to deceive the Committee. I believe that their evidence could be easily reconciled. However, I shall not ask the Government to commit themselves by answering my question, and I, therefore, move that the Order of the Day be discharged.

The motion was agreed to.

RAILWAY LAWS CONSOLIDATION BILL.

AGAIN IN COMMITTEE.

Pursuant to order, the House resumed the consideration of Bill (98) "An Act to amend and consolidate 'The Railway Act. 1868,' and the Acts amending it," in Committee of the Whole.

Hon. Mr. AIKINS moved that the 29th sub-section of Section 9 be amended in such a way as to provide that a company expropriating a man's land shall be compelled to place in a chartered bank a sum equal to what the owner thinks it is really worth until the award is made.

The motion was agreed to.

Hon. Mr. AIKINS said that the hon. Senator from Quinté, (Mr. Read), had given notice of the following amendment to the fifth clause :

"Every highway or other overhead bridge or other erection or structure over any railway to which this Act applies, existing at the time of the passing of this Act, of which the lower beams or members of the superstructure are not of a sufficient height from the surface of the rails to admit of an open and clear headway of at least seven feet from the top of the highest freight cars then running upon such railway and the bottom of such lower beams or members, shall, within four months from that date, be re-constr cted to that effect with suitable approaches thereto, if a bridge, at the cost of the Railway Company, municipality, or other owner thereof, and shall at all times thereafter be maintained at such height ; and every such Railway Company, before using higher freight cars than those running on their railways at the time of the passing of this Act, or of the re-construction, as aforesaid of any such bridge or other erection or structure, as the case may be, shall, after having first obtained the consent of the municipality, or of the owners of such bridge or other erection or structure, raise every such bridge or other erection or structure over their railway and the approaches thereto, if necessary, at the cost and charges of the Railway Company, so as to admit, as aforesaid, an open and clear headway of not less than seven feet over the top of the highest freight car then about to be used on the Railway."

He had no objection to this amendment, and he moved that it stand for section 5.

The motion was agreed to.

On the 89th clause,

Hon. Mr. DICKEY said that this clause was wholly unnecessary. The Railway Act was passed in 1868, and the Criminal Law in 1869. The clause, which was almost identical in both Acts, was as follows :—

"89. If any person wilfully and maliciously displaces or removes any railway switch or rail of any railway, or breaks down, rips up, injures or destroys any railway track or railway bridge or fence of any railway or any portion thereof, or places any obstruction whatever on any such rail or railway track or bridge, or does or causes to be done any act whatever whereby any engine, machine or structure, or any matter or thing appertaining thereto is stopped, obstructed, impaired, weakened, injured, or destroyed, with intent thereby to injure any person or property passing over or along such railway, and if in consequence thereof any person be killed or his life be lost, such person so offending shall be guilty of manslaughter, and being found guilty, shall be punished by imprisonment in the penitentiary for any period not more than ten nor less than four years."

Hon. Mr. AIKINS said it was thought desirable that it should be continued in this measure because it was convenient for reference.

Hon. Mr. GIRARD thought that the punishment for such an act should be more severe. It should be proportioned to the enormity of the offence.

Hon. Mr. AIKINS concurred in the opinion that the penalty could not be made too high for such a crime. Anybody who would deliberately wreck a train deserved to suffer the extreme penalty of the law.

Hon. Mr. DICKEY said that the clause in the Criminal Law provided for all that was necessary. He thought it would be better to strike out this clause.

The clause was struck out.

Hon. Mr. TRUDEL moved that the following proviso be added to sub-section 3 of clause 9 :

"Provided always, that in all cases in which the parties hereinbefore enumerated have no right in law to sell or convey the rights of property of said lands, it will be necessary for the said parties to obtain from a competent judge, after due notice to parties interested, the right to sell the said land ; and the said judge will give such orders as may be necessary to secure the investment of the purchase money in such a manner as he will deem necessary, according to the law of the Province, to secure the interests of the owner of said land."

The motion was agreed to.

Hon. Mr. TRUDEL moved that subsection 9 of the same clause be struck out.

The motion was agreed to.

Hon. Mr. FERRIER gave notice that he would move, at the next stage of the Bill, that it be amended to provide that boxes containing explosives should be marked.

Hon. Mr. DICKSON, from the Committee, reported the Bill with amendments, which were concurred in.

MILITIA AND DEFENCE LAWS AMENDMENT BILL.

THIRD READING.

Pursuant to order, the House was resolved into a Committee of the Whole on Bill (105), "An Act further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion."

On the third section,

Hon. Mr. GIRARD said that it was an imposition on the Province of Manitoba to require them to furnish men to prevent troubles, not only in Manitoba itself, but also in Keewatin and the North-West Territories. He regretted that the Government had not seen fit to establish a force of Mounted Police at Winnipeg. The people of Manitoba were no more interested in keeping the peace outside their own borders than the people of other provinces. Whenever they were called upon he was sure that they would be ready to act with the greatest promptitude and loyalty in the public interest, as they had done in a recent emergency. This clause gave any two magistrates power to call out the militia ; he thought it was too great power to give to any magistrates.

Hon. Mr. AIKINS said that it would no doubt be very convenient to have a detachment of Mounted Police at Winnipeg in case of difficulties, such as had arisen on section 15, but the Government did not think it advisable to station them there. A stipendiary magistrate had been appointed and stationed at Rat Portage for the special purpose of maintaining the peace, but it was only from the peculiarity of the circumstances which might arise that these officers were appointed. Their powers were strictly defined.

Hon. Mr. GIRARD said that the clause should be amended in such a way as to define which magistrate should act.

Hon. Mr. AIKINS—I have no objection to that.

The amendment was accordingly made.

Hon. Mr. TRUDEL, from the Committee, reported the Bill, with certain amendments, which were concurred in.

The Bill was then read the third time and passed.

OFFICIAL ARBITRATORS BILL.

THIRD READING.

Pursuant to order, the House was put into a Committee of the Whole on Bill (81) "An Act respecting the Official Arbitrators."

On the second clause, which was as follows :

2. The Exchequer Court of Canada shall have jurisdiction over all cases of arbitration arising under the Act last above cited, and the Acts amending the same, when the land or property taken or the damages claimed exceed in value the sum of five hundred dollars, according to the *bona fide* belief of the party or parties complaining of such arbitration."

Hon. Mr. CHRISTIE moved to strike out the word "five" and insert "two."

Hon. Mr. POWER thought that the Committee should hesitate before accepting the amendment. Even $500 was too small, and he believed that it should be increased instead of being reduced.

After a brief discussion, the amendment was declared lost.

Hon. Mr. BOTSFORD, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

MOIRA RIVER TIMBER TOLLS BILL.

THIRD READING.

Pursuant to order, the House was put into Committee of the Whole on Bill (49) "An Act to repeal so much of the Act, thirty-third Victoria, chapter forty-six, as relates to the imposition and collection of dues and tolls upon logs, timber, pine, cedar and railway ties, passing down the River Moira through the Port of Belleville."

Hon. Mr. DICKSON, from the Committee, reported the Bill without amendment.

The Bill was then read the third time and passed.

Hon. Mr. Christie.

THE PRINTING OF PARLIAMENT.

THE FOURTEENTH REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. SIMPSON presented the 14th Report of the Joint Committee on Printing, recommending that a number of returns be printed. He moved that it be adopted.

The motion was agreed to.

BILL INTRODUCED.

Bill (117) "An Act to amend the Act of the present session, intituled 'An Act to provide for the inspection, safe keeping and storage of Petroleum and the products thereof.'" (Hon. Mr. Aikins.)

WEIGHTS AND MEASURES BILL.

THIRD READING.

Pursuant to order, the House was put into a Committee of the Whole on Bill (87) "An Act to amend and consolidate the laws relating to Weights and Measures."

In the Committee.

Hon. Mr. DEVER—I do not wish to oppose the third reading of the Bill, but I wish to defend myself against the contradictions of the hon. gentleman from Montreal, who denied my statement that the imperial measure was obsolete on this continent. I still maintain that position, and repeat that though many attempts have been made to revive the measure those attempts have failed. It is not as well adapted in this country to our wants as the colonial measure. I also deny the statement of the hon. gentleman from Montreal that we get the greatest quantities of liquids from England, and prove my position by reference to our "Tables of Trade and Navigation" pages 62, 63, 64, 65 and 66, which declare as follows in the Province of Quebec alone :—

Great Britain.....	723	gallons	brandy.
France	121,757	do	do
Germany	1,032	do	do
Great Britain.....	4,314	do	gin
Holland	284,572	do	do
Great Britain	7,405	do	vinegar.

Germany	62,137	do	do
France	7,714	do	do
Great Britain	6,568	do	wine
United States	7,631	do	do
France	46,281	do	do
Spain	95,824	do	do
Italy	47,879	do	do
Great Britain	342,474	do	molasses.
United States	9,161,330	do	do
British W. Indies..	6,421,181	do	do
Spanish W. Indies.	1,391,624	do	do

I have nothing further to say only to suggest that the Government take their information from parties who have a practical knowledge of what they are speaking on instead of listening to superficial pretenders, and others whose object is to mystify matters for selfish purposes.

Hon. Mr. McLELAN, from the committee, reported the Bill without amendment.

The Bill was read the third time and passed.

PACIFIC RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. CAMPBELL moved the second reading of Bill (116) "An Act further to amend 'The Canadian Pacific Railway Act, 1874.'" He said: this is a Bill to enable the Government to build a short line to connect the Pacific Railway proper with Winnipeg. It was intended by the late Government to cross the Red River at Selkirk. The present Government is not, as yet, decided upon that point. There is some question as to whether it would be better to cross there or at some place higher up the river. At whatever point they may cross, it would be necessary to have a short line to Winnipeg, which may or may not be a part of the main line. This Bill is to enable them to construct a branch line, if they think proper, which may be a part of the main line, if the engineers say that it should be.

Hon. Mr. SCOTT—Where are the termini?

Hon. Mr. CAMPBELL—On the west side of the Red River.

Hon. Mr. GIRARD—I am sure that the people of Manitoba and of the country at large, will be satisfied with the policy which the Government have adopted in reference to that part of the Pacific Railway. I have, on several occasions in this House, been sustained in the opinion that great injury was done to the Dominion by deviating from the original scheme of the Pacific Railway, and I am glad to see that my view of the question has been adopted by the Government of the day. Their policy is to adopt a route which will pay expenses almost from the first, while the policy of the late Administration was to run the line through a country unfit for settlement, and where there would never be any local traffic. From the remarks made by the hon. Receiver General, I understand that the Red River is to be crossed at some point between Selkirk and Winnipeg. I think it is very desirable that this should be done, and that the road should be built to Winnipeg as soon as possible. In the name of the people of Manitoba, I thank the Government for what they have done for my Province. I believe that the expenditures which are now being made for the development of the North-West, will soon yield a large return. I hope that the credit of the Dominion will not suffer from the strain upon it. Though I am devoted to the interests of my Province, I place before everything the interests of the Dominion, and I should be sorry to see the credit of the country ruined for the benefit of the North-West.

Hon. Mr. SCOTT—It seemed to me, from the knowledge I had acquired of the topography of that country, that the railway, having been completed from Pembina to Selkirk, and also from Selkirk to Lake Superior, if it is proposed to take the line to the south of Lake Manitoba, it would be very much shorter to divert the road south towards Winnipeg, and cross somewhere near that point, unless it is attended by very large expenditure. However, that is a matter of engineering. It is obviously to the advantage of the country, if it is possible, to cross at Winnipeg. I observe that the Minister of Public Works seems to be of opinion that the real line for the traffic of the future is by way of the Narrows of Lake Manitoba. The hon. member for Saugeen seems to think that it was a crotchet of the late Government to go by

that road, but the present Minister of Public Works says that it presents many advantages, and is not sure whether it should not be adhered to. If the Government contemplates carrying the road by the Narrows, it might still be wise before expending any more money on two lines, to consider whether that will not ultimately be done.

Hon. Mr. CAMPBELL—It was precisely with those difficulties in my mind that I said it was possible that this branch might be part of the main line.

Hon. Mr. MACPHERSON—Advantage might be taken of the Pembina Extension from St. Boniface to Selkirk, to run up as far as might be convenient to the best crossing point, and cross there. Of course it might have been better if the main line had touched the river further south, but that cannot be altered now. Indeed, a very great mistake was made in fixing the two ends, one at Selkirk, on the Red River, and the other on the Kaministiquia, on Lake Superior, and placing the two end sections under contract at the same time. The two ends were anchored, so to speak, whereas, if the western end had not been placed under contract, the line could have been moved up or down to the best crossing point, and made straighter. One end was anchored on the Kaministiquia, which is almost a ditch, and the other at Selkirk, which is almost a swamp. Had that course not been taken, a great deal of the heavy work on Section 15 might have been avoided.

Hon. Mr. SCOTT—Perhaps the hon. gentlman is not aware that the paternity of running a line by crossing the Narrows of Lake Manitoba is claimed by the Minister of Public Works. My hon. friend, (Mr. Macpherson), in his observations, from time to time, has assumed that the late Government were entirely and wholly responsible for the deflection of the line by the Narrows of Lake Manitoba.

Hon. Mr. AIKINS—That is true.

Hon. Mr. SCOTT—I desire to call the hon. gentleman's attention to the remarks of the Minister of Public Works in another place where he speaks not only approvingly of that road, but intimates that the idea of running the road by the Narrows of Lake Manitoba was entertained prior to 1873.

Hon. Mr. AIKINS—The hon. gentlemen is mistaken. No such idea was ever entertained by the Government prior to 1873. The line was not surveyed in any way west of Red River until you come to the Rocky Mountains. Such a thing as running the road by the Narrows of Lake Manitoba had never been thought of.

Hon. Mr. MACPHERSON—At all events the line was not put under contract until 1875.

Hon. Mr. CAMPBELL—I think that the hon Senator from Ottawa is right in some respects. I remember reading some remarks made by the Minister of Public Works, in which he spoke approvingly of the line running north of Lake Manitoba.

Hon. Mr. AIKINS—But never more than that.

Hon. Mr. MACPHERSON—I am glad to see that the Government intend to have the country more thoroughly explored than it has been yet. It is only after complete surveys have been made that the line should be located, and the surveys need not be so costly in the future as they have been in the past. I see that they have amounted to $3,800,000. The survey of the country between Lake Superior and the Red River itself, Mr. Mackenzie says, cost $1,500 a mile. The hon. gentleman has fallen into a very grievous error in that. The surveys cost twice as much as that—upwards of $3,000 a mile—but it is well known that really no information was obtained from that survey. The survey was commenced in 1871. Section 15 was not placed under contract until 1876. It was known to be the most difficult part of the line in the whole country between Lake Superior and Red River, and surely in those five years every mile of that might have been thoroughly surveyed, and the surrounding country thoroughly explored, so as to get the best location. After the line to Selkirk had been adopted, another line was discovered,

by which a saving of $360,000 could have been effected. That is why I say it was a mistake to have located that section before they knew where the best line was.

Hon. Mr. POWER—I read the remarks of the Minister of Public Works, to which the hon. Senator from Ottawa has referred; they are as follow:—

"I do not now intend to criticise at any length the course that was taken by the late Government, but I may say that these resolutions propose a divergence in one particular rom the policy of the late Government; and that is, while carrying out their policy as far as the line from the waters of Lake Superior to Red River goes, we propose a slight deviation from our original policy and from the policy we adopted going west from the Red River. I am not now prepared to say the engineers were not perfectly right in the line they located; I am not prepared to say that our original intention to locate that line by the Narrows of Lake Manitoba, and which intention was endorsed by our successors, was not right and proper if we had been in a position to carry out the rapid construction by means of a company who would bring a vast amount of capital into this country and build this Inter-Oceanic Railway from end to end."

Hon. Mr. MACPHERSON—I never heard of that before; but even if it were the case, it was not imposed upon their successors by the former Government. I am glad to see that the colonization idea is recognized in these resolutions. Unless we carry this road through a part of the country fit for settlement, it will be impossible for us to complete it. We can only build it with the proceeds of the public lands. I am glad that this is recognized by the Government. No one can be sanguine enough to believe that we could borrow money enough to build that railway. The advantage, also, of carrying it through a country fit for settlement is, that you get a population settled there as fast as the road is extended. I do not want to refer to a former debate, but the hon. Senator for Lambton, (Mr. Brown), when he was here the other day, said this was a bid for John Bull's pocket. Even if it were, why should we not avail ourselves of his assistance? In my opinion, John Bull should have contributed much more than he has done, or is likely to do, towards carrying out this work. He also said that we invited people from Europe: what are we to do with that railroad unless we get people to settle the North-West, and where are we to get them if not from Europe? Now, I hope that the Government will not commit the error that their predecessors did—that they will not fix the terminus on the Pacific coast until the country is thoroughly surveyed. The colonization of our own country should be the object, and not Asiatic trade. The land, I understand, by these resolutions, is to be vested in trustees. I think that the Government should go further, and do in this case as they did in constructing the Intercolonial Railway—place the road under commissioners. If the line had not been located, and work commenced on the section between Lake Superior and the Red River, but had been commenced at Red River, and built westward, I should have been very willing (and at one time I moved a resolution to that effect) that the Government should build it, because it could have been constructed out of the surplus revenue of the country. But, after the experience we have had on the section between Lake Superior and the Red River, I think that the Government should adopt the policy of carrying it out by commissioners. It would have been impossible, if that section had been under a commission, that errors of a serious character could have been committed. The late Minister of Public Works had more on his hands than any one man could properly attend to. He never was able to visit the works under contract. He gave the Chief Engineer leave of absence, and he was absent from the country for more than a year. There was nobody to superintend the work. If the work had been under commissioners, their reputation would have been at stake. The Minister was, of course, responsible, but a Minister loses his office, and there is an end to it. I shall only repeat what I have said about the terminus on the Pacific. I do not know whether Bute Inlet or Burrard Inlet is best, all I desire is that the survey should be thorough. I have this feeling, and it has been expressed by the hon. Senator from De Lanaudiere, that we should avoid putting the terminus of that road at a point where all the advantages growing from a terminus would inure to our neighbors, and not to ourselves. If we could get a terminus equally good where all the advantages would innure to Canada

we should adopt it. We should run the line through the most fertile territory, and make it as nearly as possible self-supporting.

Hon. Mr. SCOTT—Is the hon. gentleman prepared to approve of the Government commencing any portion of the Pacific Railway within British Columbia before another year ?

Hon. Mr. MACPHERSON—I would require to know exactly what the Government plan is. If these is any section of railway in British Columbia which would be common to the two routes, that is, could be used in connection with either, I should be quite willing to allow them to commence work there.

Hon. Mr. McLELAN—I find on referring to the speech of the late Premier, Mr. Mackenzie, shortly after taking office, that he stated in the other branch of the Legislature that Mr. Fleming had given him an estimate that to pay the working expenses of this railway required a population of not less than 3,000,000. I agree with that estimate, and hence it is my opinion that we should take every possible means to get a population settled in the prairie country, not only that we may pay the working expenses of the road, but that the territory may be self-supporting, and may free us from the enormous expense we are now incurring for its protection. I have looked through the Public Accounts to see what that territory is costing us, and I find it is something like $700,000 a year. We are paying more than the subsidies to Nova Scotia and Prince Edward Island. I think it is of the highest importance that we should take every possible means of filling that prairie country with a population, and freeing ourselves from the heavy cost of maintaining it. As soon as the late Government took office, the Premier, Mr. Mackenzie, came down to Parliament and stated that he was going to construct the Pembina branch of the road in order to establish an easy and rapid communication with the North-West, to throw a population in there ; but, after expending $3,000 a mile to grade that line, it lay there uncompleted until last year. The consequence was that comparatively few people were able to get into that country. We have been gradually drawn into an enormous expenditure in the country between Red River and Lake Superior. I maintain, and have always contended, that if the country had known that they were going to incur such a heavy expenditure, they would never have sanctioned it until there was a large population, and we were in a better position to undertake such a gigantic work. The proposition made by the late Premier to the people of Canada was to open up communication through our own territory with the North-West by utilizing the water stretches. I may say to the hon. gentleman from Halifax (Mr. Power), that this was not Mr. Fleming's plan, and Mr. Fleming himself was not responsible for the policy of adopting the water stretches. He has always been in favor of an all-rail route. The water stretches policy was devised by the late Government, and they alone are responsible for it. It was a policy which captivated the country. It proposed a cheap and easy means of communication with the North-West through our own territory, and the country accepted it. They were drawn step by step into the construction of this road from Thunder Bay to Red River—drawn step by step into an expenditure of $18,000,000 to reach a country which is not yet populated, and which we have to maintain at an expense of $700,000 yearly. I say, if that policy had been presented in all its nakedness to the people of the country, they would never have accepted it. The people of the North-West could live without communication through their own territory, as the people of Ontario did for 30 or 40 years without communication to the sea, except through a foreign country, and the people of the North-West could have prospered as Ontario did. I say that the country has been deceived as to the cost of that communication between Manitoba and the Eastern Provinces. We were told by the late Government first, that by the construction of a few miles of road to Lake Shebandowan, and then by a slight improvement—I find the words used by the late Premier were, " a slight improvement at Fort Frances "—we would have connection between Thunder Bay and Rat Portage, from which point a railway could be constructed to the Red River. The Receiver-General tells us that the "slight

improvement at Fort Frances" has cost more than $300,000, and it is proposed to leave it there—to abandon it. The hon. Senator from Halifax, (Mr. Power), says that the late Government were not responsible for this Fort Frances lock—that the Chief Engineer devised it. Mr. Fleming, before the Committee, said under oath, that he had never recommended the construction of the Fort Frances lock. It was in this way, by utilizing the water stretches, and by building 114 miles of railway between Rat Portage and Red River, that we were to have cheap communication with Manitoba, and the country accepted that policy. Upon the word and faith of the late Government they believed that we could get that communication, and thus the country has been drawn into an expenditure of $18,000,000 in order to reach a territory which possesses fertile soil, but is uninhabited. The proposition which we are called upon to consider now, is the only really practical one to populate that country. If we had taken that $18,000,000 that the engineer now tells us it will cost us to make connection with Manitoba, and expended it in spreading railways all over that prairie land in the North-West we would now have 1,600 miles of railway completed, estimating the cost at $12,000 per mile. I ask this House what would have been the effect of such a policy as that? Would it not have filled those fertile plains with a large population? Instead of that we have been expending money on section 15 and the uninhabitable country adjacent to it—a country which we were told at one time was thoroughly surveyed and afforded a practicable route for the railway. The House can understand the character of that country when I tell them that for one quarter of the distance,—for one hundred miles,—the people of this country are paying $1.30 an inch for every inch of that road through it.

The Bill was read the second time.

At six o'clock the House adjourned.

EVENING SITTING.

The SPEAKER took the Chair at eight o'clock.

Routine proceedings.

Hon. Mr. McLellan,

RAILWAY LAWS CONSOLIDATION BILL

THIRD READING.

Hon. Mr. CAMPBELL moved the third reading of Bill (98) "An Act to amend and consolidate the Railway Act, 1868, and the Acts amending it."

Hon. Mr. FERRIER said that it was very difficult to frame a clause to deal with explosives. He hoped that the Government would consider between now and next session whether it would not be right for the protection of life and property that a practical chemist should be stationed at every factory where these explosives were manufactured in this country. Unless something of the kind was done it would be difficult to determine what was dangerous to human life and what was not: a number of articles which a few years ago were carried with perfect safety were now so adulterated that it was dangerous to touch them. He had been shown a sample of nitro-glycerine which, instead of being perfectly dry as it would have been if it had been properly manufactured, was so wet that the moisture oozed through the paper which surrounded it. The Manager of the Grand Trunk Railway Company thought that an experienced chemist should be employed by that Company to determine what could be taken with safety on the cars.

The Bill was read the third time and passed.

PACIFIC RAILWAY BILL.

THIRD READING.

Hon. Mr. AIKINS moved the third reading of Bill (116) "An Act further to amend the Canada Pacific Railway Act, 1874.

Hon. Mr. HOPE—It must occur to most hon. gentlemen who have read the resolutions, that the three first are of very portentous character, got up for the English market. They seem to indicate that our Government are going to take under their wing and protection all the people of Great Britain, and of the continent of Europe. This, in addition to the national policy, which has been inaugurated, is

certainly a very wide field and a most philanthropic project, and we must all wish them success. With regard to the quantity of land that is to be appropriated for the construction of the railway, I understand there is no possibility of getting more than half of what is here described on the line of the road. If they can obtain fifty millions of acres it is more than I expect. I understand that the views which the late Government entertained were that they should sell the lands on each side of the main line of the Pacific Railway for the purpose of building the road, and I see that the present Government are just following in their footsteps. I want to make a few remarks with regard to running the Railway south of Lake Manitoba. It seems it is designed to combine colonization with the construction of the Pacific Railway. The object that the late Government had in view, as I understand it, was to take the most direct and the best route across the continent. If you go in for colonization roads you never can tell where you are going to stop. The late Government adopted the very best line that the explorations and surveys made by their engineers enabled them to locate. I have not seen any information laid before this House to show that the line surveyed by Mr. Fleming was not the best that could be obtained. As for running south of Lake Manitoba, if it is meant for a colonization road, it may be all very well, but I do not think there is any information furnished by any engineers that the route by way of the Narrows of Lake Manitoba was not the best. I think Mr. Marcus Smith admitted that the road south of Lake Manitoba was not the shortest. The objection to the northern road was that the country through which it passed was notsettled, but we all know that as soon as a line is located the surrounding country will soon be populated. Besides that, the fact must be kept in view that in running a road through a settled country the right of way must be bought from private individuals, and this adds to the cost very largely. It appears to me that it would be a more business like way to proceed with a large undertaking like this to build the road through an unsettled country, and sell the land adjacent to it to help to pay for its construction. Then, with regard to Burrard Inlet, we find no information before the House to justify us in coming to a conclusion as to what point should be the terminus on the Pacific Coast. The Government may possess such information, but the House does not. Mr. Sandford Fleming pointed out that Burrard Inlet was the best terminus on the Pacific. We know that the selection of Bute Inlet would involve the necessity of crossing the Straits to Vancouver Island, and that the road, if taken by that route, in addition to being much longer, would cost about $20,000,000 more than if taken by the other. A gentleman connected with the electric telegraph, who is very familiar with the Pacific coast informed me that Burrard Inlet was the very best harbor in British Columbia. I asked him what sort of a harbor Bute Inlet would make. He said that it was no harbor at all—the great depth of the water rendered it useless, and it would never do to have the terminus of the Canadian Pacific Railway in such a place as that. It appears to me if the Government really intend to carry out the terms of union with British Columbia they should have proceeded with this 125 miles on the Fraser and Thompson River route. I understood that the late Government was prepared to advertise for tenders for that purpose, and that there is no difficulty standing in the way of constructing the road by that route at all. This is simply a device to gain time. If the people of British Columbia are prepared to submit to such treatment, well and good, but I think that the policy of the late Government was the best, not only for the Dominion, but for the Povince of British Columbia. They had selected Burrard Inlet as the terminus, and we know that that is the best harbor to be found on the Pacific Coast, and they were prepared to proceed with the construction of the road and carry out what they had promised. This talk of exploring and surveying the Peace River route may do for the next generation, but in the meantime we should take the most practicable route that has been explored and proceed to build the road. The Government ask for extraordinary powers in this Bill. They want to construct a road without giving any information whatever to Parliament. For anything we know, they may commence to build the Esquimalt & Nanaimo Rail-

way which the Senate in the past refused to sanction. I do not say whether this House acted rightly or wrongly in rejecting that Bill, but that was their decision. The Senate is now placing power in the hands of the Government to build that road if they choose. It seems to me that some restrictions should be placed on them. Last session there was a very laudable jealousy on the part of this body about placing any power in the hands of the Government, but that is all swept away now. I think that this House is displaying a want of prudence in passing this measure without amendment. There ought to be some security that the Government of the day would do what is right. It is improper to place such extensive powers in the hands of any Government. These resolutions have been adopted elsewhere, and I presume they will be adopted here, but in justice to the views I entertain on the subject, I have made this statement to the House.

Hon. Mr. POWER—The hon. gentleman from Saugeen spoke on the subject of this Bill for some little time before the House adjourned in the afternoon, and it struck me that he did not talk about the proposed action of the Government in the same way that he would have done if it had been proposed by the late Government. The meaning of the resolutions submitted to the House has not been made very clear, but it has been made plainer by the Bill before the House and the remarks of the leader of the Government in the Senate. It appears to me that though there is a railway now running from Pembina to Selkirk up the east side of the Red River, the Government proposes to build another road from Selkirk to Winnipeg down the west bank of the Red River—or somewhere near the west bank—instead of following the main line of the railway south of Lake Manitoba. It appears to me that such a project should not meet with the approval of the House. It is a purely local road and should be constructed by private enterprise. I am surprised that a gentleman, who is so great a stickler for economy as the honorable Senator for Saugeen, should have allowed that to pass without any remarks in reprobation of the Government. The hon. gentleman was also under the impression that the present Government, when in power before, had not dreamed of building the main line by the Narrows of Lake Manitoba, but he was proved to be entirely mistaken when the words of the Minister of Public Works showed that that was the route which it was originally proposed to follow, and that it was proposed at some future day to build the road by the Narrows. This $1,000,000 which is to be expended on the branch to Winnipeg, will be an expenditure on something not connected with the direct road to British Columbia at all, and it is an expenditure which is not justifiable. I do not think that the older provinces of the Dominion are treated fairly when they are asked to vote money for such a purpose. The hon. Senator for Saugeen and the hon. Senator from Londonderry seemed to think that one of the great objections to the Burrard Inlet route was, that it would go within some 60 miles of a place where it might be tapped by an American route which would have a terminus at Holmes' Harbor in Washington Territory. They seemed to think that this was one of the strongest arguments in favor of the Bute Inlet route, which appears to be the one that is rather favored by the present Administration. These honorable gentlemen seemed to think that it would be a most unfortunate thing that there should be any connection between our Pacific Railway and an American port.

Hon. Mr. MACDONALD - That not is the point. The point was, building up an American town which would be a rival to our terminus.

Hon. Mr. POWER—It is the same thing. Now, it does not seem to me that there is nearly so much force in that argument as the hon. gentleman seemed to think, because, in the first place, the connecting link between our road and Holmes' Harbor can be prevented by our Legislature if they are so inclined. They need not charter a company to build it if they do not like it. But, on the other hand, I should like to call the attention of hon. gentlemen to another view of the matter. The fact is, as I tried to state to the House when discussing the resolutions, that owing to the character of the trade from China and Japan to San Francisco, vessels come to Puget Sound and have to beat down against the winds to San Francisco.

Hon. Mr. MACDONALD—Nearly all the trade is carried by steamers.

Hon. Mr. POWER—Not all. One of the objects which the projectors of the Northern Pacific Railway had in view was to secure this trade by enabling vessels to avoid the delay of going down to San Francisco. The Minister of Public Works says that the distance across the continent is 650 miles shorter by our road than the Union Pacific Railway; and all authorities are united in saying that it is at least 500 miles shorter. If that be so, the trade is sure to go by our line, and I think it is decidely desirable that our road should be connected with Holmes' Harbor, because the effect of such a connection would be to increase our carrying trade. The Grand Trunk and the Great Western have been enabled to live chiefly through carrying American traffic. Another fact which the hon. gentleman seemed to lose sight of is this: Mr. Cambie, who has spent a great deal of time in British Columbia, and who cannot be supposed to have any prejudice one way or the other, says that the adoption of the Bute Inlet Route involves an additional expenditure of $20,000,000. The hon. Senator from Victoria, (Mr. Macdonald), himself admits that Bute Inlet is not a proper terminus for the Pacific Railway; that it could only be used in connection with the railway on Vancouver Island. If you adopt the Bute Inlet Route, and, much more, if you go by Peace River, the Northern Pacific Railway will be shorter than our own line, and traffic that we ought to have will be carried by them. It is a rather singular thing that the hon. Senators for Saugeen and Londonderry, who are so averse to the idea of having any connection with American territory at the west end of the line, are both in favor of having the eastern terminus, (which, to my mind, is just as important as the other terminus) in the United States. They found fault with the late Government for having commenced to build a railroad from Lake Superior to Red River. They contended that the Government should have been satisfied with allowing our trade to go through the United States for an unlimited period. I do not say just now what my own opinion of that is, but it seems to me that the two views are inconsistent. That brings me to one point which, I think, has been omitted in the policy which has been laid before the Legislature by the Government. While they tell us something, in a vague kind of way, about their policy with respect to the railway west of Red River, there is nothing at all said about their policy in connection with the road east of it. If things remain as they are for any length of time, whatever trade there may be from Manitoba and the North-western country, will get into American channels, and when trade is once firmly fixed in any channel, it is not easy to divert it. I think we should endeavor to retain our own trade, and that the surest means of accomplishing that is to build the line from the Ottawa River to Sault Ste. Marie to connect with the eastern extension of the Northern Pacific Railway there. In that way the eastern provinces of the Dominion would not only reap some benefit from the large expenditures on the Pacific Railway by the trade of the North-West, but we would also gain a large amount of American traffic. In conclusion, I will merely suggest that this Bill should be carried on a division.

Hon. Mr. REESOR—I regret very much that the resolutions which were submitted to the House the other day, were allowed to pass without being followed by any measure from the other House.

Hon. Mr. CAMPBELL—This is the measure.

Hon. Mr. REESOR—This Bill does not include all that is embraced in these resolutions. I think it is unwise to give power to the Government which virtually places them beyond the control of Parliament. I think that this matter should be subject to legislation from time to time. At first, perhaps, one hundred millions of acres of land may not seem very large in connection with our vast North-West territories; but when you calculate for a moment the extent of it, you will find that one hundred millions of acres will cover a stretch of territory fifteen hundred miles in length by one hundred miles in width. Virtually, it will take all the land, I venture to say, that is fit for settlement in the whole of he North-West territories and British

Columbia. Fifteen hundred miles in length will reach all the way from Red River to the Pacific Ocean; a hundred miles in width, if you take out the lakes, and the unproductive, barren land and mountains, you will find that you cannot get a hundred millions of acres without going a good deal outside of that strip. It will take more than is contained in that strip of one hundred miles, because every acre should be good average land fit for settlement. Any lands that are not fit for settlement cannot be counted. If you take out the barren, rocky and broken lands in that strip of fifteen hundred miles in length, you will find that it will reduce it by one-third, and that one-third must be made up by land taken outside of the strip. The consequence is that you would take up all the good land, not only in Manitoba, but in the North-West Territories. One hundred millions of acres is equal to ten and a-half provinces the size of Manitoba.

Hon. Mr. MACDONALD—It is a large country.

Hon. Mr. REESOR—Yes; but it is a very large tract of country. It includes twenty-four hundred and fifty townships, the size of townships in Manitoba. I venture to say that one hundred millions of acres would include nearly twice the quantity of all the settled lands in Nova Scotia, New Brunswick, Prince Edward Island, Quebec and Ontario. It is an immense territory that we are giving up to the commissioners, to be controlled by them and the Government and taken entirely away from the control of Parliament, except in the indirect way of the responsibility of the Government. Immense sales of lands can be made, and contracts let without the sanction of Parliament. We also allow those commissioners to locate one hundred miles of railway, to determine where it shall be located in British Columbia, and to fix the terminus at any point along a coast of five hundred miles, without consulting Parliament. I say that it is a most extraordinary power to confer upon any Government, or any commission, and my hon. friend from Victoria might well say that it was a very bold measure.

Hon. Mr. BULL—If you do not give the control of those lands to the Government, or to commissioners, to whom will you leave it—to Committees of this House?

Hon. Mr. REESOR—I would leave it under the control of the Government and of Parliament, as it is now. There is nothing to prevent whole townships, whole counties, or even whole provinces, being sold *en bloc*, to parties in the old country. They will come here, resell portions of it, and hold the balance for the purposes of speculation. The mininum price is $2 an acre, and it will be held, as some lands are still retained by the Canada Company that have been in their possession for forty years, and for which such a price is asked that they cannot be bought. They are locked up from settlement, and, in many cases where they have been sold, the prices demanded have been so large, that the settlers have been obliged to abandon them. The Canada Company sold its lands at ten, fifteen, twenty, or even thirty dollars an acre. The same thing may be expected in the North-West; and there may be companies formed who will buy those lands in large tracts, and hold them for years.

Hon. Mr. BULL—Well, suppose they do? What harm will be done?

Hon. Mr. REESOR—They will sell those lands to settlers, and keep them in debt for generations, as has been done in Ontario. There are people still in debt for the lands they purchased from the Canada Company there. Those settlers have to pay interest on those lands, and that interest is sent off to the old country. We talk about protection, keeping Canada for the Canadians, yet we are adopting a system that may lead to the disposal of lands in such a way as to be a drag upon this country. For the next three or four generations we will find the wealth of this country taken out of it just as has been the case in Western Ontario. There can be no doubt about it. Upon this commission there is to be a representative in the old country, and one object in appointing such a commission is to give the control of the lands to capitalists there. There is no limit in these resolutions as to the amount of land that may be sold to any one company or individual; and they

may be held for years without being opened up for settlement. They may, perhaps, give some lands at first, at a comparatively low price, in order to get settlements established there, and then the prices for the balance will go up steadily. There will be a continual drain of the wealth of the country in paying interest upon that money. I say it would be far better that the Government should control those lands, and that they should for some years yet give them to actual settlers free, and get the country settled, and build the railway just as they proposed to build the road from Red River westward. I believe that that section will be built at a comparatively small cost, and when settlement goes hand in hand with the building of the railway, the expense will not be great; when that is accomplished, there will be land enough to sell to pay for the railway, without immense tracts being left in the hands of speculators to rest as an incubus upon the country for all time to come. I do think that it is unwise to place such powers in the hands of the Government.

Hon. Mr. BULL—In whose hands would you place them?

Hon. Mr. REESOR—The hon. gentleman may have confidence in this Government, but another Government may come into power, in whose hands it will not be wise to trust such powers. They will be placed comparatively out of the reach of the people. Let us leave the public domain as other crown lands are left—under the immediate control of the Government, and let the Government be immdiately responsible to Parliament.

Hon. Mr. DEVER—Didn't you vote for a similar power being left in the hands of a former Government?

Hon. Mr. REESOR—No, I would vote against giving such power to any Government.

Hon. Mr. AIKINS—If these lands were sold for five, ten, or even twenty dollars an acre, who would get the benefit?

Hon. Mr. REESOR—If they are all sold, and not placed in the hands of large companies, there would be no difficulty. The danger we apprehend is this; that large tracts will be sold at small prices to wealthy companies in England, who will retain them, and take forty or fifty years to dispose of them, and during that time they will be continually drawing the life-blood out of this country in the shape of interest. It would be far better to give the lands away, and build up the prosperity of our own people, and pay for the building of the Pacific Railway, as we have done for the Intercolonial. Let us proceed with the building of the road as fast as the finances of the country will warrant us, without incurring so great a debt as to render us at no very distant day liable to have to resort to repudiation to get rid of it. I hope that such a condition of affairs will never arise. If the parties purchasing lands in the North-West were bound to dispose of them within a limited time, it might produce no serious results, but if they be allowed to retain large tracts for forty, fifty, or a hundred years, they may do an immense amount of harm to the Dominion.

Hon. Mr. HAYTHORNE—I think that the House has some reason to complain at the manner in which this subject has been brought before it. We had it first in the shape of resolutions, and we allowed them to pass on representations made by the Government, that the discussion could take place upon a certain Bill. That Bill is before us, but the analogy between the Bill and the resolutions does not hold good throughout. I observe that the hon. gentlemen who have preceded me have based their remarks upon the contents of the resolutions rather than upon the provisions of the Bill. I have given some attention during the course of the day to the resolutions, and I must say, without having any undue desire to find fault with the policy of the Government, that I see a good deal to condemn, and very little to approve of. They begin with a high bombastic statement, intended to draw attention in the mother country should it be necessary for the Finance Minister to appear there to raise funds; but I rather fancy, as some gentleman has said, that those statements will hardly find credit there. No doubt it would be of general advantage to settle some of the redundant population of the Mother Country in the North-West, but it is

something extraordinary that such an interest is taken in the working population of England. Not long ago, it was stated that we had laborers enough in Canada, and we wanted no more. Suppose that people were brought from the old world to build our railway, they would have to land in the settled portions of Canada first, and would necessarily interfere with the labor of the country before they could be induced to go West, and work under railway contractors. There is a resolution here which states that the Government are to communicate with the British Government, with a view to get their co-operation, and obtain further aid by guarantee, or otherwise, towards building our transcontinental highway. That is a very fine thing if it can be done, but it seems to imply that the Government, which took possession of those vast tracts of land, made a very bad bargain for Canada. I have always been of the opinion that the Imperial Government should have been urged much more strongly than they have been, to assist in the construction of this railroad. I have expressed those sentiments in other places as well as here—in the Legislature of my own Province, before it became a portion of the Dominion. I hold that a very severe bargain was driven by the Imperial Government with the then Dominion Government—that the Mother Country, to have done a liberal thing, should have handed over the North-West Territory to Canada, free of all incumbrances, without requiring us to pay anything. It was hard enough to expect this country to assume all the obligations in connection with those territories with such troublesome citizens as the Indians of the North-West. I believe up to that period the railway across continent in the neighboring country was scarcely completed, and the scheme could hardly be termed feasible. To tax the energies of the country in the way it is proposed to do in this case, was a severe duty to impose on our limited population. I think it is rather late in the day for the Government of Canada to be making a new appeal to the British Government on this subject. There is a scheme proposed for appropriating one hundred million acres of land towards the enterprise. I listened with a great deal of attention to the hon. gentleman from Markham, (Mr. Reesor), and he entertains the strongest objection to what I call the squandering of our inheritance. I believe, myself, that those lands would be much better disposed of by the Dominion Government, if they would be granted free of all charge to bona fide settlers. It is pretty well established that an actual settler contributes more in the course of a few years to the Government for free grant land than if the country obtained a high price for it. If the settler has to pay for his land, it impoverishes him during the period of his first and most formidable struggles. If he obtains his land free, he becomes prosperous sooner, and the more prosperous he becomes, the more valuable he is to the country. Another consideration is that free land offered to European settlers would be a far greater attraction than anything held forth in these resolutions. Have the Government taken into consideration the estimated value of a settler when he arrives on the shores of America—because that is a very important factor in solving this problem. The opinion of Mr. Wells, the great American financier is well known on this point, and I recently read the opinion of Mr. Brassey, a well-known English writer, on the same subject. Mr. Wells estimates the value of an able-bodied settler to the country at one thousand dollars. It must be more advantageous to attract settlers than to get two dollars per acre for land—that is, taking the pound-shilling-and-pence view of the question. But I say, further, that the locking up of lands in this way, and offering them for sale at a sum not below two dollars an acre, may have the effect of creating a monopoly of lands in this Dominion. It will be in the recollection of this House that the Province with which I am connected labored for over half a century under a grievance of this kind, and it was not until after we became connected with the Dominion that we got rid of this great incubus, which lay on our energies in a way that those who have not experienced it cannot have the slightest idea. Hon. gentlemen will recollect the circumstances under which Prince Edward Island became a Province of the Dominion, and the noble contribution which Canada made to enable us to get free lands. For that we owe the Dominion a debt of gratitude which we do not under-estimate. But, as some return for

the boon which Canada conferred upon us inlieving re us from that incubus, I think it is my duty to warn this House against encumbering the future settlers upon our vast north-western prairies in the manner from which we, in Prince Edward Island, have happily been freed. It is one of the peculiarities of European settlers that, on their arrival in America, the comparative cheapness of land induces them to consider the payment of a small annual rental, or an engagement to pay two or three dollars an acre for land, as a very light matter. They are accustomed to high rentals in Great Britain, and the purchase of a free-hold at $2 an acre seems to them a very light matter indeed; but experience teaches us that they find their liabilities, when they enter upon clearing their land, very heavy. Their returns for years are very small, and though it is an undoubted fact that when a man's energies are not withdrawn from his proper pursuits by having to pay a high price for his land, he will before long become a valuable acquisition to the country, yet paying a high price for his property, will retard his progress, and make him a less valuable citizen than he otherwise would be. I hold, therefore, that it would be wise economy for the Dominion to use their efforts to settle men on free grants, rather than induce them to pay as low a sum as two dollars an acre for their property. There is a fifth paragraph among these resolutions which has reference to the Province of Manitoba. Without the slightest intention of throwing any obstacle in the way of gratifying the wishes of Manitoba, I must say that I greatly regret that the Government have expressed a determination to alter the line from the route by the Narrows of Lake Manitoba, which was adopted by the late Administration, as the most direct line across the continent. I recollect, two sessions ago, that a Committee of this House took great pains to examine this subject, and took the evidence of a great many witnesses on that point. The Chief Engineer, on that occasion, gave it as his opinion that the route laid down was the best that could be found, and deprecated any change to the south of Lake Manitoba. However, in accordance with the report of that Committee, the Government of the day ordered further explorations to be made on the southern route, during the following summer, and the result was far from encouraging. I believe that this line, south of Lake Manitoba, which is to be a colonization road, is to follow a route which was not then contemplated. But I take it, the further the railway is turned northward, the less it becomes a colonization road. If, on the other hand, it goes further south, it runs into difficulties which will greatly enhance the cost of construction. I should much prefer that the Government would ask a grant in aid of a colonization road in Manitoba, than to deflect this line from the route by the Narrows of Lake Manitoba. I remember when this Committee that I have referred to was in progress, I expressed an opinion something similar. Mr. Fleming gave a written opinion on the subject, and *if* the House were not weary, I should like to read it. I presume that the intention is to avoid the difficulties which he explained, by carrying the line nearer to the Lake. Perhaps, on the whole, that point in the proposition of the Government is really less obnoxious than some others, particularly as it is intimated that it it may still be neessary or convenient at some future day to carry out the original plan of constructing the main line by the Narrows of Lake Manitoba. I wish to have something to say upon the route that may be taken in the far west. I am very much disposed to agree with the view I have heard advocated by a distinguished civil engineer, recommending that the line should be carried north of the Saskatchewan, and on the north side of the dividing ridge of hills, so that it could cross the whole river by one large bridge, and avoid the numerous water courses which would otherwise have to be crossed if a more southern route were adopted. This would carry the road in the direction of Lac la Biche, and the Pine River Pass. I must say that I am glad to learn that there is some disposition on the part of the Government to explore that country more thoroughly, because, if there is any intention to induce people to settle in the North-West, it would be well to learn something more of a country which offers such superior attractions. As far as I have been able to inform myself on the subject, the very best part of the North-West Territories lies in the direction I have indicated. It is perfectly hopeless to expect European

settlers to locate themselves upon barren lands which will grow scarcely any thing except grass, and which lie at a high elevation above the sea. But if you offer them a country of unequalled fertility, which grows the most nutritious grasses, which travellers describe as reaching above the saddle girths of their horses, you will attract a large population. The soil, according to the limited extent to which it has been cultivated as yet, seems to be capable of producing cereals of the very best quality. If you can offer a European population a country possessing such attractions, you will secure a large immigration. I fear that a large proportion of the soil in the North-West is of an inferior quality. Those fears are not without foundation, because one clause of the resolution says that if this land should, in any part of the hundred million acres, prove absolutely barren, an equivalent shall be sought for in some more fertile region. That is a bad feature in the scheme, because it allows any person interested in the matter to select the very best portions of our territory. It is hard for one who is not a professional man, and who has only the opportunities which an ordinary member of Parliament possesses to inform himself as to the character of a country with which he is wholly unacquainted, to decide for himself, which route for the railway is best for the Dominion, as a whole. I have taken a deep interest in this question and I am satisfied that the Burrard Inlet route is the best. I confess that I am inclined to prefer the Bute Inlet route, because of the possibility of connecting it with the Pine River Pass. But I have heard it said by a professional man that neither the Burrard Inlet nor the Bute Inlet route met with his approval, and that a better one than either can be found further north. When we are on the eve of undertaking such a gigantic work as this, the main object ought to be to ascertain where the resources of the country can be expended most judiciously to the public. I greatly regret that the Government should have thought proper to ask Parliament to place such arbitrary powers at their disposal as the last of these resolutions confers. I do not know that anything has taken place during the present session that I view more seriously than that demand which the Government has made on the Parliament of the Dominion, to allow them without further reference to the Legislature to begin the construction of a hundred and twenty-five miles through such a region as we have had described *viva voce* by several engineers, and in reports for some years past by the Chief Engineer. I have pictured it in my mind as a region similar to that between Switzerland and Italy. We all know the difficulties which have been encountered, and the expenditures which have been incurred in opening up railway communication between those two countries, yet, here we are, a young country, undertaking as formidable a work as that which has taxed the capital and energy of the great countries of Europe for so many years past. It seems to me that the undertaking of these hundred and twenty-five miles of railway in British Columbia, apart from the question of what route they may select, must involve the Dominion of Canada in an expenditure of not less than fifty millions of dollars; and that amount is to be at the disposal of the Government without the sanction or approval of Parliament being required upon the selection of any route which they may please to adopt. We are placing in the hands of the Government despotic power which I very much doubt if the Government of any country in the old world would ask the people to entrust them with. I am sorry to say that I cannot give my consent to this proposal. I shall have to vote against this Bill, and against these resolutions. I very much regret that the Government should have piled up all this amount of work on the Senate at so late a period of the session. Here we are called upon to offer opinions on questions of the most diverse character, and several opinions of that kind on a single day. The very closest attention which one can give—and this House has not been remiss in that respect of late—would scarcely allow one to give such consideration to these important subjects as they deserve.

Hon. Mr. READ—I find that the last speaker, and the hon. Senator from King's, (Mr. Reesor), are greatly concerned lest the lands in the North-West should be locked up. It is evident that they have not studied up the question from a financial point of view. While

the hon. gentlemen were speaking, I took the trouble to ascertain what those lands would cost speculators if they were held for a number of years. The hon. gentlemen say, that if we sell large tracts of land at $2 per acre, and they are held for fifty years, the country will lose heavily by the transaction. No doubt, if we could get the $2, and hold the land, it would be much better, but "you cannot have your cake and eat it." The cost of the land, if purchased originally at $2 per acre, and held 50 years, compounding the interest upon the purchase money during that period, would be as follows:—

At 8	per cent.....	$90 83	per acre.
At 7	"	58 91½	"
At 6	"	36 84	"
At 5	"	22 83½	"

This does not include municipal taxation, or anything but the $2.00 and interest upon it.

Hon. Mr. REESOR—I do not wish to be understood as saying that I believe any individual or company would hold the land without settlement for fifty years. They might sell five-sixths of it, and realize their money, and a good deal more, but the balance would be locked up or sold at excessive prices.

Hon. Mr. READ—If we can get the money to build our Pacific Railway in that way, I think it will be just as advantageous to us to sell our lands as it will be for British capitalists to buy them.

Hon. Mr. KAULBACH—The hon. Senator from Prince Edward Island thinks that the Government are guilty of a despotic act in taking on themselves the power to build 125 miles of railway. The late Government wished to have the whole control in their hands. They took power to give out contracts without consulting Parliament. If the present Administration had announced their determination to keep the public lands under their own control, we would have been told that their object was to use them for corrupt purposes. But what have they done? They have put them into the hands of Commissioners, one of whom is to be appointed by the Imperial Government and the other by the Dominion Government. Will anyone tell me that it would be to the interest of England to lock up those lands and prevent people settling there? When we have a commissioner appointed by the Imperial Government, we will have every guarantee that our lands in the North-West will be used for the purpose of filling them with the surplus population of the Mother Country.

Hon. Mr. McLELAN—Some hon. gentlemen talk as though we had plenty of money to build the Pacific Railway. They forget that our means are exhausted, and unless we build the road our lands will be valueless. We have incurred obligations amounting to over $25,500,000, and I think that everyone will admit, that is as far as we can go without having some direct return for our outlay. If the Government can, by any means, obtain the money to build the railway by selling the lands in the North-West, I think that we should be very well satisfied.

The Bill was read the third time.

The question was then put—shall this Bill pass?

Hon. Mr. SCOTT—I did intend to make some observations on these resolutions, and we were led to believe that they would be presented in Bill shape this evening. With so many empty benches, it does not seem that it would be profitable to the House or advantageous to one's self to speak at any length now. Possibly to-morrow we may have a debate on the Supply Bill, which is an open question, and an opportunity for "a free fight," as it is called, and I suppose that the House would prefer that I should defer my observations till then.

The Bill then passed.

THE TARIFF BILL.

THIRD READING.

The Order of the Day having been read for resuming the adjourned debate on Bill (9) "An Act to alter the duties of Customs and Excise."

Hon. Mr. DEVER said: Hon. gentlemen, I claim the right of saying a few words on this subject. I have been a

free trader all my life, and am yet—if I could. I would be glad to see all the ports of the world thrown open to the commerce of all nations—if I could. I would not like to see restrictions on the free interchange of the productions of nature, and the arts of man from one country to another—if this could be possible. But I ask hon. gentlemen is this state of things possible under our circumstances? You know that this country is committed to great undertakings which must now be sustained. Some hon. gentlemen may say that it is this Government, or it is that Government that is to blame, but I will confine myself to the fact that some $24,000,000 must be had from the people of this country to meet our present obligations. To accomplish this, it is quite clear that high duties must be levied, and it is to me unworthy deception for gentlemen to assert, by implication at least, that the present Government are doing more than others would have to do if placed in their position. The whole trouble, in my opinion, seems to be that governments in the past committed themselves and the country to expenditures based on an abnormal state of the earnings of the country, and now, when we have got back to the normal state, we find it doubly vexatious to pay up what is a necessity to keep our credit good, and our house in order till times and business become again more remunerative. I have listened with the greatest attention to the remarks of my hon. friend, the late Secretary of State, and if I understood him correctly, he said that some nations have their specialties, and that it is difficult to compete with them. It is quite true that nations have their specialties, but it is neither manly nor proper for us to admit that any people in the world can excel us in the arts or manufactures which we have facilities, equal to theirs, to engage in. If this idea were carried out the United States would not hold to-day the position of being almost the second manufacturing nation in the world. We know that France has imitated very largely and very successfully the manufactures of Great Britain. At the late exposition in Paris, it is well known that England had so successfully imitated France in the manufacture of porcelain, that she received the credit of being equal to any other nation in that branch of industry. Therefore, although I am a free trader, I cannot agree with my hon. friend in saying that we should not encourage manufactures in this country. I also take exception to the statement of the hon. Senator from Hamilton, (Mr. Hope), that a duty of 17½ per cent. is quite sufficient to enable us to manufacture in this country with success. If that is his opinion, why has he sanctioned, during the last three or four years, a protective duty of 40 per cent. on two important manufactures in this country—spirits and tobacco? So much for the consistency of the hon. Senator from Hamilton. But I have listened with the greatest regard and respect to the speech of the reverend and hon. gentleman from Toronto, a gentleman whom I have been led to think of with the highest consideration, from his long leadership in this country, and from that knowledge which he must have acquired in thinking on the various subjects which affect the weal or the woe of this people. And while listening to him with all the care I possess, I am free to declare I heard nothing I can agree with, except one thing, and that is, that he is a free trader, so free that apparently he would wish to be governed in this country without paying anything for it, especially as his proteges are not in power to levy the contributions. Now, gentlemen, not wishing to prolong this debate, and to confine it to facts, and throw away bombast, and empty sounds, as much as possible, let me ask that hon. gentleman how he comes to be so hard on the sugar industry in the present tariff, and deny to it that protection which he has given to a more unworthy industry in this country these several years, without the slightest remark of disapproval—I mean to the manufacture of four millions of gallons of whiskey or spirits, to which he and his friends gave no less a protection than a million of dollars per annum out of the public treasury of the country, or, in other words, some forty per cent. protection, including freight and leakage, whilst other manufactures got only, 7½ per cent. May I say that this unaccountable conduct in a gentleman who seems to be so well posted now in every branch of protection, is inexplicable to me in every way I look at it, except on the basis of foul play to the present Government, and to the Maritime Provinces,

whose West India business was nearly ruined by such a policy. He complains now, because he thinks the Maritime Provinces will get a protection of a million dollars per annum on the manufacture of sugar—a noble industry—but not one word of complaint was uttered these long years against the distillers of Ontario for the loss of a million of dollars of the people's money per annum for the protection of the manufacture of the miserable article of four millions of gallons of corn whiskey, or "white eye," an industry of no consequence compared with the West India business, with its return cargoes and the shipping interests engaged therein. Gentlemen, as I said before, I am a free trader, if I could, but seeing that this is impossible, as even a revenue tariff with us must be a protective tariff since we have to raise some $24,000,000 per annum from four millions of people, I am prepared to say that the present tariff is the most logical and best arranged tariff we have had since we came into Confederation, and the only fault I have to it is, that we cannot do with some seven millions of dollars less revenue, and thus have a lower scale of duties all over to our people. But this is impossible under the obligations we have to meet, and hence I say the present tariff is a fair one, and I accept it cheerfully as the best can be done under all the circumstances of the situation.

Hon. Mr. TRUDEL—Discussion at this late period of the session cannot influence the vote of anybody; still, it is necessary to answer some objections raised by hon. gentlemen opposed to the Government, lest they should be considered unanswerable. One of the strongest arguments advanced against our new fiscal policy has been, "What will England say?" It has been represented as a policy which will have the effect of weakening, or, perhaps, severing the tie that binds the Dominion to the Mother Country. If the traders and statesmen of England look carefully into this matter they will see that the tariff, instead of prejudicially affecting their interests, will have the contrary effect. It has been asserted that if we impose high duties upon British manufactures it will have the effect of closing the only market we have against us. I do not fear, however, that it will have that effect, as we know very well that if our products are received in the English market to-day free from duty it is because it is to the interest of England to do so. Take our lumber for instance: it is well known that England has frequently given preference to the Baltic lumber instead of the lumber coming from this country. One of the most important branches of our exports is the cattle trade. Is it not a fact that the cattle of the United States are received on the same terms in England as they receive ours, and the reason is that the people of England want those products. My contention is that the policy of the late Government was greatly in favor of the United States, and that it would soon have had the effect of destroying English trade with this country entirely. We see by the last reports on trade and navigation that the different provinces of the Dominion have imported respectively, from England and the United States, as follows:

	FROM GREAT BRITAIN.	FROM UNITED STATES.
Ontario	$11,686,764	$26,145,322
Quebec	16,034,536	12,248,172
Nova Scotia	3,891,024	3,191,756
New Brunswick	4,037,321	4,213,776
Manitoba	412,451	747,097
British Columbia.	605,157	1,542,620
Prince Edward Island	763,795	412,671
North West Territories	.....	112,307
	$37,431,048	$48,613,721
		37,431,048
Difference in favor of U. S.		$11,182,673

If we compare this with the returns of 1873, we find the following result:

	From Great Britain.	From United States.
1873	$68,522,776	$47,735,678
	47,735,678	
Difference in favor of England	$20,787,098	

If we add to this the $11,182,673, we find that the United States have gained in a period of five years an advantage of $31,909,701 over England in competing for the trade of Canada under the fiscal policy of the late Government. Hon. gentlemen can easily see that, if the same policy

were continued for ten years longer, showing a proportionate decrease in English products and increase in United States products imported into this country, the whole of our import trade would be transferred from the Mother Country to the United States. The people of England know their own interests too well to look upon the new policy as a hostile tariff. They have only to consult our trade and navigation returns to see that if we had remained under the old tariff, the inevitable result would have been the entire loss of this market for their manufactures. The proposed tariff, it is true, will have the effect of imposing additional duties upon some English goods, but it will also have the effect of imposing additional duties upon the same class of American goods, and upon many others that are now entered free of duty. The hon. gentleman from Ottawa has remarked that this tariff will benefit not quite 25,000 of the population of this Dominion, as against 3,975,000, will not be benefited. This estimate differs very materially from the estimate of the hon. gentleman from Lambton, who contends that it will only benefit 1,000 of the population of the Dominion; I leave them to account for the discrepancy between their calculations. The hon. gentleman from Ottawa repeated, in a different form, the challenge to hon. members of this House to show where our industries are to be benefited by this change of policy. I had the honor, on a previous occasion, to enumerate some of the articles which we imported, and which can be produced and manufactured in this country; these articles, as set forth in the Blue Book for 1877, shows a total amount of $37,375,165 of goods which we now import from foreign countries, and which we might produce in this country under a proper fiscal policy. It has been asserted by the hon. gentleman for Lambton, and the hon. Senator for Alma, that to establish protection is to rob one class for the benefit of another. I cannot conceive how these hon. gentlemen can make such a statement before an intelligent body like this hon. House. How can it be robbery to any one clase when it is shown by the experience of nations that the adoption of a protective policy always has the effect of stimulating manufactures and diminishing the price to the consumer. The hon. gentleman for Ottawa, in support of his argument, has referred to the coal trade of Nova Scotia. He said the city Montreal by purchasing 50,000 tons of coal from Nova Scotia under the present tariff will have to pay $20,000 extra into the pockets of the coal miners of that Province. Of course we understood perfectly well in the Province of Quebec that we did not want a duty of 50 cents per ton on coal; we understood perfectly well that this 50 cents was an additional burden upon us; but we understood also that a national policy could not be carried out unless the different industries of the Dominion could be protected, and we could not expect to have the industries of Montreal protected without giving similar advantages to the industries of other provinces. I see by the last returns that Nova Scotia imported nearly eight millions and a half dollars worth of goods last year. If this protective policy enables us to furnish only three millions of dollars of our own manufactures, and we realize only one per cent. on their production, it will be a net profit of $30,000, so that it will be a clear profit of $10,000 after deducting the $20,000 we pay them for our coal. But if we make five per cent. profit on three millions of dollars worth of goods supplied to Nova Scotia it will amount to $120,000, so that, according to this showing, protection will pay. It was stated by my hon. friend from Montreal, (Mr. Penny), that it was absurd to pretend that a tariff could be a revenue tariff and a protective tariff at the same time. It is very clear to me that they both go together. Supposing that on a million dollars worth of imports we have a duty of 15 per cent, it will give $150,000 a year. Now, it is desirable to change this policy, and by the change secure an increase in revenue and a protective tariff. Supposing we increase the duty to thirty per cent., the result will be to develope manufactures in this country and diminish the imports. But it is well known that our manufactories will not produce immediately all the goods that are required in the country, and for the first five years we will only diminish the imports by twenty-five per cent—or to $750,000 a year. On that amount, however, a thirty per cent. duty will produce a revenue of $225,000, while under the fifteen per cent. tariff and increased

imports the revenue had only been $150,000 so it will be seen that the increased duty has not only had the effect of protecting home industries, but it has given increased revenue. This is only an elementary illustration, a mere matter of calculation, still the opponents of the present fiscal policy do not seem to understand it. The hon. gentleman for Lambton has stated that the exports of manufactures from the United States were only about $91,000,000, and it showed that protection had not been worth what was paid for it in that country. But the hon. Senator has forgotten to mention the fact that besides the $91,000,000 of exports there were consumed by the American people manufactured goods to the extent of $2,500,000,000, so that it is absurd to point to the $91,000,000 of exports as representing the manufactures of the United States. If they had not manufactured this $2,500,000,000 worth of goods themselves they would have been obliged to import them from foreign countries. The hon. gentleman referred to France as being a country in a sound financial position. What is the reason? It is because the policy of France for centuries has been to promote home industries and to produce in that country what is necessary for the wants of her people, instead of purchasing from foreign nations. Free traders contend that it is an evidence of prosperity when the imports of a country are larger than her exports. Canada has for many years had the balance of trade against her, and is it not a fact that in order to make up that balance we have been obliged to increase our public debt. At this late hour I will not continue my remarks, although there are several points in the hon. gentleman's speech that I would rather not see go unanswered.

Hon. Mr. KAULBACH moved the adjournment of the debate.

After some conversation the motion was withdrawn and the Bill was read the third time and passed on a division.

PETROLEUM INSPECTION AMENDMENT BILL.

SECOND AND THIRD READINGS.

Hon. Mr. AIKINS moved the second reading of Bill (117) "An Act to amend the Act of the present session intituled: 'An Act to provide for the inspection safe-keeping and storage of petroleum and the products thereof.'" He said the object of this Bill was to correct a clerical error in the Petroleum Bill that had escaped the attention of both Houses.

The motion was agreed to.

Hon. Mr. AIKINS moved that the 41st rule of the House be dispensed with in so far as it relates to this Bill, and that the Bill be read the third time presently.

The motion was agreed to, and the Bill was read the third time and passed.

The House adjourned at 10:50 p.m.

THE SENATE.

Wednesday, May 14th, 1879.

The SPEAKER took the chair at 11 a. m.

Prayers and routine proceedings.

RIVIERE DU LOUP BRANCH RAILWAY PURCHASE BILL.

FIRST, SECOND AND THIRD READINGS.

The following Bill from the Commons was introduced and read the first time: Bill (119) "An Act for the acquisition by the Dominion of a certain portion of the Grand Trunk Railway, to be made part of the Intercolonial Railway."

Hon. Mr. CAMPBELL moved that the forty-first rule of this House be dispensed with in so far as it relates to the said Bill, and that the same be read the second time presently. He said: This Bill is for the purpose of enabling the Government to acquire that portion of the Grand Trunk Railway between Riviere du Loup and Quebec. Certain conditions are annexed to the purchase—that the money shall be expended by the Grand Trunk Railway Company to enable them to make connection with Chicago, which has been cut off by Mr. Vanderbilt.

Hon. Mr. SCOTT—Has that agreement been laid on the table?

Hon. Mr. CAMPBELL—No, it has not yet been made, but one of the pro-

visions in the agreement with the Grand Trunk Railway is that that money shall be retained by the Government, and only paid for that purpose.

Hon. Mr. CHRISTIE—I think the Grand Trunk Railway have made arrangements with the Toledo, Wabash & Western Railway so far.

Hon. Mr. CAMPBELL—The money is to go direct from the hands of the Government for the purpose of making this connection.

Hon. Mr. HOPE—I understand that the Government is to allow the Grand Trunk Company about fifteen thousand dollars per mile for the Riviere du Loup Branch. The original subsidy was equal to that, and it appears to me as if the Government had paid for it in the first instance, and now they are called upon to pay for it the second time. It seems to me like liberality running wild.

Hon. Mr. MILLER—I think that, whatever the country may have paid in times past for that portion of the Grand Trunk Railway, and whatever claim the country may have had for it, that claim is now, unfortunately, barred by the statute of limitations. I do not think that my hon. friend from Hamilton would like to take an assignment of that claim as a valuable asset. There can be but one opinion on the subject in this country, we have no legal claim—none that can be considered in the nature of an asset—and, therefore, we have to deal with the Grand Trunk Railway Company, as though we never had advanced a dollar on that road. On the main question, I congratulate the Government for having taken a very wise step in the right direction. Since the completion of our magnificent Intercolonial Railway—one of the finest roads on the continent—in consequence the ownership of that portion of the Grand Trunk Railway between Riviere du Loup and Quebec, and the bad state of repair in which it has been kept by the present owners for some years past—owing, no doubt, to the unprofitable character of the work—the full value of the Intercolonial Railway has been lost to our people. The Intercolonial Railway from Halifax to Riviere du Loup has always been in such a condition as to enable travel and traffic to pass over it at a most rapid rate, but on several occasions—in fact for the last year—it has been felt that no matter what condition the Intercolonial Railway may be kept in—no matter how perfect the arrangements may be from Halifax to Riviere du Loup, there is no certainty of rapid transit on the Branch between Riviere du Loup and Quebec. I have heard complaints of parties who desired to carry on trade between the Maritime Provinces and the Upper Provinces—in fresh fish for instance—that there is no safety for perishable goods on that branch. If the line were as good through to the Upper Provinces as between Halifax and Riviere du Loup, there would be no trouble in carrying on a valuable trade all the year round in fresh fish, but after freight of a perishable kind arrives at Riviere du Loup the transit is so tardy that a cargo is liable to be lost. Two or three speculations in fresh fish having failed on that account, it has discouraged people from embarking in such a trade ever since. It is absolutely necessary that the intercommunication between these four great Provinces of the Dominion should be as perfect as possible. We are by nature sufficiently separated to render it very often inconvenient to transact public business, and unprofitable to carry on trade and commerce between the Upper and Lower Provinces. No effort should be spared in order to facilitate intercourse between the Maritime Provinces and the rest of the Dominion, and that could never be done without acquiring this Riviere du Loup Branch from the Grand Trunk Railway Company. The Government are entitled to the thanks of the whole country for the prompt manner in which they have taken hold of this matter, and I think it is highly complimentary to the Minister of Public Works, and quite characteristic of the energy and ability which distinguish him in the discharge of his official duties. He has placed the whole country, and no part of it more than the Lower Provinces, under a deep obligation by the business-like manner in which he has dealt with this matter. That the transaction will receive the sanction of this Parliament, I have every confidence. When this line is acquired by the Government, and put

in running order, on an equality with the Intercolonial Railway, we will then have between the Maritime and the Upper Provinces as fine an intercolonial highway as there is on this continent, and when, ultimately, that highway is connected with the line on the northern side of the St. Lawrence, and up the Ottawa Valley, connecting, as I hope it will, at some future day, with the Pacific Railway, we will have what everybody who desires to see British power consolidated on this continent—that iron bond which will unite us from ocean to ocean, and make us one in sympathy as we are politically.

Hon. Mr. ALEXANDER—The hon. Senator from Hamilton seems to have forgotten that when the Government of Canada gave a large subsidy to the Grand Trunk Railway, a demand was made by large numbers of persons in the Province of Quebec that this Riviere du Loup Branch, as well as the Victoria Bridge, should be built. The result was, such an enormous expenditure was thrown upon the Grand Trunk Railway Company that it destroyed the whole value of the eight or ten millions sterling which British capitalists had invested in the road. They never received a farthing to divide among the shareholders. My hon. friend seems to have forgotten that. Surely the hon. gentleman, in view of these facts, would never dream of suggesting that we should not carry out this arrangement.

Hon. Mr. SCOTT—It became obvious, shortly after the completion of the Intercolonial Railway, that the Government would have to acquire that portion of the Grand Trunk Railway which forms practically the western section of the Government road. The Grank Trunk Railway Company, knowing the importance of that section to the proper working of the Intercolonial Railway, approached the late Government with a view to selling it to the Dominion. Their ideas were so extravagant that we could not entertain their proposition. Under the arrangements with the Grand Trunk Railway Company they were required to keep that branch in the same condition as the other portions of their line.

Hon. Mr. HOPE—Hear, hear, hear!

Hon. Mr. SCOTT—If the Government had been disposed to exercise their power, they could have forced them to keep that branch in proper order. Considering that the Grand Trunk Railway was of immense value to Canada, it was not thought desirable to demand our pound of flesh: we did not insist upon compliance with their legal obligations to the Dominion. They, feeling the position which they occupied, and knowing that the Intercolonial Railway could not be practically as useful as it should be, while this branch was under their control, declined to keep the track in repair, or to accept a reasonable sum for it. Negotiations have been going on, and, year by year, they have been coming down in their demand. About a year ago, the question was forced on the consideration of the late Government, and the demands of the Grand Trunk Company were so enormous at one time that it was thought that we should simply have to build a road alongside of it. The lowest offer a year ago was £750,000 stg. I am glad to see that they have now brought the proposition down to a reasonable basis—less than half that sum, and a price which I think the Government of this country is amply justified in paying for the road. Of course, it is going to cost us a good deal more than that. I hope that the improvement of the road will rest entirely with the Government.

Hon. Mr. READ—They take it over.

Hon. Mr. SCOTT—I hope that the Grand Trunk Railway Company will not have control of the expenditure of the money.

Hon. Mr. CAMPBELL—The $1,500,000 is to be paid for securing this connection with Chicago. The repairs on the Riviere du Loup Branch are to be made by the Government.

Hon. Mr. MILLER—I see a sum of $375,000 in the estimate. for improving the track, and $250,000 more for operating the line.

Hon. Mr. SCOTT—We are voting $2,125,000 for it altogether. The road, no doubt, cost more than that, but it is a decided advantage to the Grand

Trunk Railway Company to part with it even on those terms, and it is an advantage to the Dominion to obtain it even at a figure in excess of its actual value. I am very glad that the transaction has been closed.

Hon. Mr. FERRIER—I am very glad that the advantages to the country are so apparent, and that the Government is now getting the road for about $2,500,000 less than it cost the Grand Trunk Railway originally. When the steel rails are laid upon it it will be as good as any part of the Intercolonial Railway.

The Bill was then read the second and third times.

The question being put, shall this Bill now pass?

Hon. Mr. HAYTHORNE said: I do not rise to oppose the measure before the House, but to protest against the unseemly haste with which a Bill of its importance has been introduced, read three times, and is now ready to pass. It seems to me most unseemly haste to put through an important measure in that manner. Not having been for a long period a member of the Dominion Parliament, I am naturally unfamiliar with the history of these proceedings, but it does seem to me that the remarks of the hon. Senator from Richmond illustrate with what little wisdom the world is governed. It seems to me that if the rulers of this country had possessed a little foresight and sagacity they would have known that at some future time Canada would have to acquire that railway, and they should have made provision for being recouped for any aid given to the Company to construct it. I believe that such arrangements are now made with railways when bonuses are granted to aid them. I think it is a subject for congratulation on the whole that the Intercolonial Railway is to be supplemented by that portion of the Grand Trunk Railway which intervenes between it and the city of Quebec. It strikes me as an obvious corollory of this purchase that the Government anticipate better times. They would hardly make such an investment unless they saw clearly ahead of them an improvement in the trade of the country.

Hon. Mr. DICKEY—If the hon. gentleman will turn to the proceedings of the other House, he will find that this Bill was introduced, read three times and passed there yesterday just as here, and I think that the reflection on the Senate for the haste we are displaying is quite unnecessary. The result of the Intercolonial Railway being brought up to Quebec will be to place us in connection with the railways already existing and in operation on the North Shore of the St. Lawrence, and, in that way, we shall have alternative lines to Ottawa and the West; and the result of the transfer, I am glad to learn, will be to place the Grand Trunk Railway in direct connection with the great grain distributing centre of the West, altogether beyond the control of Vanderbilt.

Hon. Mr. REESOR—I think that the Bill will have a very good effect, in consequence of its affording the means of making a connection with Chicago in the west, and drawing the produce of the Western States over the Grand Trunk Railway and down by the Intercolonial. I rise more particularly to call attention to the fact that many members of this House have been arguing, in connection with railway charters, against having any connection with United States Railways, and against being placed in the position of carrying on trade with that country. (Oh, oh.) That has been the argument, and their support of this Bill in inconsistent with the course they pursued only yesterday in connection with the Pacific Railway. They urged that it should not terminate at Burrard Inlet because it would build up an American city.

Hon. Mr. MILLER—The Pacific Railway is not before the House. I rise to a question of order.

Hon. Mr. REESOR—I am not out of order.

Hon. Mr. MILLER—The point of order is that the hon. gentleman is discussing the Pacific Railway which is not before the House.

The SPEAKER—The hon. gentleman is not in order in discussing the Burrard Inlet question.

Hon. Mr. PENNY—Surely the hon. gentleman has a right to make a comparison between the Intercolnial Railway and other roads.

Hon. Mr. McLELAN—We boast in the Maritime Province that the Intercolonial Railway connects with all the railways on the continent.

Hon. Mr. REESOR—We will allow the debate on the Pacific Railway to pass, but I will refer to the principle that objection had been raised somewhere—I shall not say where—that we ought not to expend the public money in building railways to any point where they could connect with American roads, by which the trade of this country could be tapped, and as an illustration I mentioned that Burrard Inlet was referred to as the probable terminus of the Pacific Railway, and that that was objectionable because it lay so near the American frontier, that the Americans, by building sixty miles of road, might tap our trade at that point. Now, I do think that the position taken by those who urged that view, was a very absurd one, and I fully agree with the principle of this Bill.

Hon. Mr. HAVILAND—Then you are wasting time.

Hon. Mr. REESOR—I maintain that this is in harmony with my own views, and consistent with the ground I took upon the question of the Pacific Railway, and not consistent with the course that the hon. gentlemen opposite took upon it.

Hon. Mr. KAULBACH—I am very glad that the Government have decided to purchase this branch. It is desirable to have connection between the western roads of the Dominion and the Intercolonial Railway. So long as that portion of the Grand Trunk was left in a dilapidated condition it was not safe for travel or freight. I am very glad that we are now having a terminus on the St. Lawrence as well as a connection with the western railway system, and that there is a probability that the trade of the West will pass over the Intercolonial Railway.

Hon. Mr. McLELAN—I hope that the Government has been careful that the monopoly held by the Grand Trunk Railway is broken up, and that we will be able to get our freight in the Maritime Provinces carried on the same terms that it is here in the west. There have been great complaints, and the Government know, perhaps, the manner in which the Grand Trunk Railway Company control the rates of freight to and from the Maritime Provinces, making a difference in rates between Halifax and St. John, and intermediate places. The Government ,before the purchase of this branch, were powerless to control the trade in that portion of the Dominion, and that is the only reason that I think it is desirable at all to secure this connection.

The Bill then passed.

CAPE BEALE LIGHTHOUSE.

INQUIRY.

Hon. Mr. MACDONALD enquired

Whether it has come to the notice of the Government that in the recent case Cooper *vs.* Westmoreland, that Captain Cooper, the Agent of Marine and Fisheries in British Columbia, in his evidence, admitted having paid the sum of $176 to one McLeod for work supposed to have been done at Cape Beale Lighthouse in June, 1876, which had not been done, and that he had been on a tour of Inspection to said Light House ten days previous to such payment being made?

He explained that the lighthouse keeper had made a charge of swindling against Cooper, who thereupon sued him for defamation of character. The lighthouse keeper could not prove that the money had been paid, and the case went against him. The facts were, however, as stated in the inquiry. No merchant would keep in his employ a man who would pay money for work that was never done. Some complaint had been made this session about the number of copies of the departmental reports distributed every year, but, in this instance, it had led to the discovery of the fraud which, he (Mr. Macdonald), now exposed. He hardly expected an answer from the Government, because they could not have had time to investigate the matter.

Hon. Mr. CAMPBELL replied that the attention of the Government had not

been called until now, to the alleged misconduct of this officer. He would bring it under the notice of the Minister of Marine and Fisheries.

Hon. Mr. MILLER suggested that the proper course would have been to have referred the matter to the Department in the first place.

THE DISMISSAL OF HENRY APPLETON.

INQUIRY.

Hon. Mr. POWER enquired

For the reasons which led to the dismissal of Henry Appleton, lately in charge of the railway workshops at Richmond, near Halifax, and whether it is the intention of the Government to provide other employment for Mr. Appleton?

Hon. Mr. CAMPBELL — The hon. gentleman asked a day or two ago, what was the reason for the dismissal. It was not because of any misconduct on the part of Mr. Appleton, but because there was no necessity for continuing his services. The Government have no employment which they can offer to Mr. Appleton at present.

THE SENATE DEBATES.

THE FOURTH REPORT OF THE COMMITTEE.

Hon. Mr. HAYTHORNE moved the adoption of the fourth report of the Committee on Reporting and Publishing the Debates of the Senate. He said that there had been a change in the *personnel* of the Committee. Several new members had been appointed, himself among the number. Several tenders had been sent in to the Committee, but, having in view the terms of the order of the House, it was considered that the main object was not to secure the cheapest means of reporting the debates, but the best means. Accordingly the Committee, perceiving that general satisfaction had been expressed with the reporting during the present session, and that with some alterations the system of publication in practice this year would meet with the views of the House, came to the conclusion that it would be wise to accept the tender of the Messrs. Holland, the present contractors. The difference between the tender which was recommended to the House for acceptance and the contract for the present session was, that the reports would appear in the regular edition of the *Free Press* next year instead of a special edition. The tender for next session also included 200 copies of the *Free Press* to be sent to members of the House of Commons during the session. The increased cost for next session would be only $300.

Hon. Mr. ALEXANDER said that when the Committee met he was aware that the tender of the Ottawa *Citizen* had not been received, but though he informed them of the fact that such a tender was expected, they were not disposed to postpone their meeting. About an hour after the Committee rose, he (Mr. Alexander) received the offer of the *Citizen*, and he, therefore, moved

"That the report be not adopted; but that the tender of the *Citizen* Printing Co. be accepted, and that the Chairman of said Committee is hereby instructed to accept the same, without further reference to the Committee."

It was obvious that the morning paper was the one which should publish the debates of the Senate. The afternoon paper was seldom much read. He would be very sorry to make any proposition which would have the effect of depriving the House of the services of the Messrs. Holland. No member of the Senate could have a higher appreciation of their skill than he had, but it was quite possible to make an arrangement by which they could be retained and their reports could be published in the *Citizen*.

Hon. Mr. McCLELAN said he supported the report of the Committee because it met the wish of the hon. Senator from Woodstock for greater publicity to the debates of the Senate. Next session the reports would appear in the regular edition of the *Free Press*, and any Senator who wished to have copies of that journal sent to his county newspaper could have it done by notifiying the contractors to place it on the exchange list. So far as the offer from the *Citizen* was concerned, it had not been received by the Committee, and he could not express an opinion upon it. If there was to be an official report next session, he hoped that

the House would not part with the present reporters, who had given such satisfaction, to try men of whose merits they knew nothing.

Hon. Mr. CHRISTIE said it was very extraordinary, after the Committee had considered all the tenders submitted to them, and made their report to the House, that the hon. Senator from Woodstock should produce a tender sent to him individually, and move that it be accepted without reference to the Committee. It was most irregular and was treating the Committee with contempt. Moreover, it was unfair to those who had tendered in a proper manner to the Committee, because the amount for which they had offered to do the work being disclosed, other parties could tender at a lower rate. It was a mode of dealing with tenders which was not practiced anywhere else.

Hon. Mr. SCOTT asked if tenders had been invited.

Hon. Mr. CHRISTIE understood that the Committee had adjourned for the purpose of receiving further offers, but none having been sent in, they reported in favor of the present contractors. He had been informed that the *Citizen* Company had been regularly notified to send in a tender, but had failed to do so until after the tender of the present contractors had been opened and their offer disclosed. It was a very irregular and disreputable mode of proceeding.

Hon. Mr. MACDONALD said that he was in a dilemma. If the tender from the *Citizen* had been sent in to the Committee in proper time he would have been in favor of accepting it; but he did not know whether he was bound, as a member of the Committee, to accept their report, or whether it would be a reflection upon them to vote for the amendment. The unanimous opinion of the Committee was that the present reporters had given great satisfaction, and they wished to retain them if they did not increase the cost of the work to the country.

Hon. Mr. HAYTHORNE thought that personal or party feeling should not be introduced into this question. If the tender which had been laid before the House by the hon. Senator from Woodstock were really cheaper and better than the one recommended by the Committee, he (Mr. Haythorne), as a member of the Committee, would have no hesitation in accepting it. But that tender had never been submitted to the Committee; they had never examined it critically and, consequently, they could not form an opinion upon it. There was a difference between the two tenders before the House, and that difference was in favor of the one recommended by the Committee for adoption. The House was not the best place for discussing the respective merits of the tenders. It would be far better to refer the whole matter back to the Committee where it could be properly considered. With regard to the reporting, it was admitted by every member that it had been ably and skillfully performed, and that the reports had been published with as little delay as possible. If the amendment should be adopted it was quite possible that new reporters would be employed next session who might not give satisfaction.

Hon. Mr. ALEXANDER explained that the delay in submitting the tender of the *Citizen* Company was due to a misunderstanding.

Hon. Mr. BOTSFORD said that no sealed tenders had been asked for; the difficulty was that there had been no time to call for them. The Committee had examined all the papers laid before them, and decided to accept the tender of Messrs. Holland. He objected to both of the propositions before the House. He thought that the system which had been in force in the session of 1878 was the most satisfactory to all parties. It was the system followed in the other House.

Hon. Mr. AIKINS suggested that the matter should be referred back to the Committee, and it was possible that the conflicting views might be reconciled.

Hon. Mr. SIMPSON thought it was most unfair towards the parties whose tender had been recommended by the Committee for adoption, that an offer, made subsequently, should be entertained by the House. It was a mode of dealing

with tenders which would not be sanctioned anywhere else.

Hon. Mr. MILLER said it was a mistake to suppose that tenders had been called for. None had been invited and no time had been named within which offers would be received. The hon. Senator from Prince Edward Island, (Mr. Haythorne), had deprecated the introduction of party feeling into the discussion of this question, but it was evident to the House where party spirit came in. The hon. Senators from Halifax, (Mr. Power), Hopewell, (Mr. McClelan), Paris, (Mr. Christie), and the Chairman, (Mr. Haythorne), were most anxious to have the debates published in the Opposition organ. He did not wish to say a word against the present reporters. They had done their work to the entire satisfaction of some hon. gentlemen, and they had not done it with equal satisfaction to others. A leading member of the House, (Mr. Brown), had declared openly the other day that the associated press summaries were most unsatisfactory, and there had been private declarations to the same effect, which he, (Mr. Miller), did not care to ventilate in the House. For his own part, he was neither disposed to accord extravagant praise to the gentlemen who performed the work, nor to visit them with anything like censure. He had not, himself, been personally displeased with the manner in which they had done their work, nor had he any cause of complaint with them. He thought that they had tried to do their work well, and had done it tolerably so, but the House was paying an exorbitant price for the service. It had been a matter of general complaint amongst hon. gentlemen that the House was paying more for the whistle this session than it was worth, and he was the more determined that the question of economy should influence the decision of the House, when he found that the present reporters, in the absence of competition, increased their already exorbitant price by $500. He did not know whether that profit went to them or to the *Free Press*. It might be to the latter, and, if so, it might have an important influence in eliciting the warm interest which hon. gentlemen opposed to the Government seemed to take in the renewal of the present contract. He agreed with the hon. Senator from Prince Edward Island, that the House was not the proper place to discuss the question, and he hoped that it would be referred back to the Committee.

Hon. Mr. POWER regretted that the hon. Senator from Richmond, (Mr. Miller), should have attempted to leave the House under the impression that any party feeling was imported into this matter. No member of the House had a keener scent for party feeling than that hon. gentleman himself—he saw signs of it where no other person could. The Committee, while presided over by the hon. Senator for Saugeen, and when a majority of its members were ministerialists, received tenders from Mr. Mackintosh, editor of the *Citizen*, and from the Messrs. Holland, the present contractors. Mr. Mackintosh and the Messrs. Holland were known to be Conservatives of the most extreme character, but the Committee had not considered politics in the matter. Their feeling had been that if the official reports were to be continued at all, the offer of the Messrs. Holland was more satisfactory than that of Mr. Mackintosh. Every one knew that the reporting had been well done this session, and that the reports had been published more promptly than in former years. It had been stated that their offer was $950 higher than that of Mr. Mackintosh, but there was a wide difference between the two tenders. One was for twelve columns daily, the other six columns only; one agreed to give Senators an opportunity to revise their speeches before publication, the other did not; one included a summary for the associated press, the other did not, and, on referring to another proposition from Mr. Mackintosh, he found that the estimate which that gentleman made of the cost of such a summary was $720. One offered to make a reduction at the rate of $3.25 per page, for every page short of 500, the other did not. The Messrs. Holland agreed to do the work personally, to the satisfaction of the Senate; Mr. Mackintosh did not, and could not, because not only was he not a reporter, but he was the editor of a daily newspaper, and Mayor of the city. Mr. Mackintosh was publishing the Commons *Hansard* this session, and was more than a month

behind hand with the printing He was to have the printing of it again next session, and, if he should have the printing of the Senate Debates also, it was probable that the publication would be still more tardy and unsatisfactory. If the House would consider the marked distinction between the two tenders, and the peculiar circumstances under which Mr. Mackintosh's offer was made, he was sure that they would adopt the report of the Committee without hesitation.

Hon. Mr. KAULBACH regretted that this matter should have come up in such an irregular manner. The Committee had tried to make arrangements with the *Citizen*, but, having failed to get an offer from them, accepted the offer of the Messrs. Holland, to publish the reports in the *Free Press*. He would have preferred the morning paper, but he considered it unfair, after the Committee had decided to accept the tender of the Messrs. Holland, to entertain a proposition from another party.

Hon. Mr. DEVER said it was evident that there was a decided feeling in favor of the present reporters, whose work had given general setisfaction; but there was also a strong desire, which he shared, to have the reports published in a Conservative newspaper. There was no use in attempting to deny it—political feeling influenced a majority of members in this matter. He, therefore, suggested that the report should be referred back to the Committee, with instructions to make arrangements, if possible, to secure the services of the Messrs. Holland as reporters, and to have their reports published in the morning paper.

Hon. Mr. TRUDEL gave notice that when the next report of the Committee was submitted to the House, he would move that provision be made for securing a French reporter. He had never raised this question before, because the Messrs. Holland had given such complete satisfaction, that he had not wished to take any step which might throw an obstruction in the way of reporting, but since it was proposed to make a change and bring in new and untried men, he considsred it necessary to look after the interests of the French speaking members of the Senate.

Hon. Mr. POWER asked to be relieved from serving on the Committee.

The report was referred back to the Committee for further consideration.

The House adjourned at 1:30 p.m.

EVENING SITTING.

The Speaker took the chair at 8 o'clock.

Routine proceedings.

THE SENATE DEBATES.

FIFTH REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. HAYTHORNE, from the Committee on the Reporting and Publishing of the Debates of the Senate, presented their fifth report. He moved the suspension of the 42nd rule, and that the report be taken into consideration presently. He explained that the arrangement was substantially the same as the one which had been recommended in the fourth report of the Committee with this difference—the reports were to be published in a morning, instead of an evening paper.

Hon. Mr. AIKINS asked if the amounts were the same.

Hon. Mr. HAYTHORNE said that they were.

Hon. Mr. HOPE asked why the offer of Mr. Mackintosh to do the work for $3,550 had not been accepted.

Hon. Mr. HAYTHORNE—It was withdrawn.

Hon. Mr. HOPE could not understand why the Committee had allowed him to withdraw it, after the assurance which had been given to the House that a saving of $950 could have been effected by adopting it.

Hon. Mr. PENNY said he had been for several years a member of the Debates' Committee, and during the whole of that time nothing like party spirit had ever manifested itself there. He did not say that in praise of himself, because he had

been in the minority, but in praise of his colleagues. The best proof of the absence of party feeling was the fact that the reports, during a portion of that time, had appeared in a newspaper which did not represent the politics of a majority in the Senate. He thought it unfortunate that the official report should be published in a political newspaper. The system followed in the session of 1878 was the correct one, but he could understand why hon. gentlemen desired to see the reports in a newspaper. If the contract were being awarded fairly, he would not have a word to say, but what was the fact? The Committee having recommended that a certain tender be accepted, the House was induced to consider another offer, by which, it was said, $950 could be saved. It turned out, however, that this professed desire for economy was a delusion, and that the object was to take the publication of the debate from a Reform newspaper to give it to the organ of the Government. If it had been done in a fair or manly way, he would not have objected; it was the petty character of the transaction that he protested against.

Hon. Mr. MILLER had no hesitation in saying that he would just as soon have taken the offer of Mr. Mackintosh, and thereby secured the publication of the debates to the extent of six columns daily in a morning paper, as the offer to publish the reports in the *Free Press*, to the extent of twelve columns. In the morning paper they would be read not only by the local population, but also by the public men representing the various constituencies of the Dominion. They read the morning paper before proceeding to the duties of the day. The evening paper was not looked upon as of the same importance, because about the time it was issued in the afternoon the leading papers of Montreal arrived, and, two or three hours afterwards, the two leading journals of Toronto occupied the attention of members of both Houses. In that way the *Free Press* had not the influence which the *Citizen* possessed. If it were a morning paper he would almost as soon have it as the *Citizen*. He believed that the additional $1,000 would be well expended in securing the publication of the debates in the morning paper. When the Committee met in the afternoon they had no time to look for tenders. There were but two newspapers in the city to which they could look, and, as they could get the same facilities from either for the same money, they had given the preference to the morning paper. He regretted that the hon. Senator from Alma, (Mr. Penny), had thought it proper to state that the Committee were influenced in their decision by party feeling. Since he had challenged notice of the fact, he (Mr. Miller), wished to say that he had observed lately a decided tendency on the part of the minority towards getting political advantage from the position of things. It would be a pity to allow any unpleasant warmth of feeling to mar the harmony which had prevailed among the members of the Senate during the session which was now drawing to a close. He was very glad that they had arrived at the satisfactory conclusion that they were going to get the most value for the money expended on this service, and he hoped that any little party feeling which might have been exhibited would be forgotten.

Hon. Mr. ALEXANDER wished to explain, in reply to the hon. Senator from Hamilton, (Mr. Hope), that the reason why the Committee had made this arrangement was to retain the present reporters. There was a general feeling of satisfaction with the manner in which they had done their work, and it was felt that it would be safer and better to pay the amount necessary to retain them and to ensure the publication of their reports in a morning paper.

Hon. Mr. HOPE asked if any provision was made for a short session?

Hon. Mr. ALEXANDER said there was not, because there was no reason to expect that next session would be a short one.

Hon. Mr. REESOR called attention to the fact that no provision was made for a reduction of the price if the volume should fall short of 500 pages. There might be a short session, and in that case the Senate would be bound for the full amount of the contract.

Hon. Mr. AIKINS said a morning paper was always more expensive than an

evening paper, and it was necessary to guarantee the printer a certain amount of work. He thought that the arrangement for next session was the best that the Senate had ever made since they had commenced to have official reports of their debates.

Hon. Mr. POWER was glad that the Committee had succeeded in making what everyone must regard as a satisfactory arrangement for the reporting of the de bates of next session, but he did not consider the arrangement for the publication of the reports was as good as had been recommended in the fourth report of the Committee. It was not always wise to make predictions, but he ventured to say that the publication of the reports next session would not be so prompt or satisfactory as it had been this year.

Hon. Mr. FLINT did not know much about the Ottawa papers, but, from what he had seen of them, he did not consider either of them equal to the requirements of a city like this. As he did not get his copies of the *Free Press* until 10 a. m., it made little difference to him whether the reports appeared in a morning or an evening paper, except that he would have an opportunity to read them in the morning paper before coming to the House. He hoped that the present reporters would be retained under any arrangement which might be made. They deserved all praise for the manner in which they had done their work during the past three sessions.

The motion was agreed to.

The House adjourned during pleasure.

A message having been received from the House of Commons with the Supply Bill, the House was resumed.

THE SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was brought from the House of Commons by their Clerk with a Bill intituled: "An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively the 30th June, 1879, and the 30th June, 1880, and for other purposes relating to the public service," to which they desired the concurrence of this House.

The Bill was read the first time.

Hon. Mr. AIKINS moved that the forty-first rule of this House be dispensed with, in so far as it relates to the said Bill, and that the Bill be read the second time presently. He said: The Bill that has just been read the first time is a very important one, but, at the same time, a very dry one to discuss. It contains two leading features. The first refers to the amount necessary to cover the expenses up to the 30th of June 1879. It is not a very large sum, but it is somewhat larger than usual. The second clause refers particularly to the amount which will be required to cover the anticipated expenditure for the year 1880, and in reference to these amounts I think that hon. gentlemen will see if they will look over them, the expenditure compares very favorably with the expenditure of previous years. In fact, so far as the Departments are concerned, the amount is less.

Hon. Mr. SCOTT—How much less?

Hon. Mr. AIKINS—I cannot state the exact amount, there is a larger sum for the Department of the Interior, but that is the result of capital expenditure. With regard to these Departments which are not of an expending or constructive character the expenditure is less.

Hon. Mr. SCOTT—In the last weary hours of a weary session I do not suppose that the House cares very much to have this subject discussed. I should be addressing very unwilling ears if I went into it at any length. I fail to discover the saving pointed out by my hon. friend. I think that the Supply Bill, and the estimates which accompany it, scarcely carry out the prophetic utterances indulged in last year and the year before of the reduced expenditure which the change of Government would bring about. I fail to see the reduction. There may be some delusive promises in the columns of figures, but take it on the whole, so far

as that item known as controllable expenditure is concerned the difference is practically *nil.* All that I hope is that it will not be exceeded in the course of the year. I notice that very considerable sums are contemplated to be spent in British Columbia. I think, myself, that that is a mistake. The leaders of the present Government are the gentlemen who inaugurated the original terms with British Columbia. They made an impossible bargain at a time when the country was very much inflated, and they thought they were carrying out a grand national policy. The popular sentiment was altogether in the direction of connecting the Atlantic and the Pacific by a railroad. When the Reform Government took office in 1873, they were not very favorable to the project, but, in obedience to popular opinion, they took up as much of the scheme as they considered was desirable in the public interest, and a leading member of that party placed on record a resolution declaring that the expenditure should be such as not to entail any additional burden upon the people. Afterwards, that resolution was incorporated in an Act which was passed in the session of 1874. On two occasions since then the burdens have been very considerably increased on the people of this country, and in the present session by the Tariff Bill. Whatever views or opinions we might have had in 1873, or up to 1875, as to the capacity of this country to construct the Pacific Railway, I think that the delusion has been dispelled from the minds of all those who have given the subject a thought, and I had hoped that the present Government, coming into power with a very strong party behind them, capable of guiding and controlling any policy they thought proper, would have seen the propriety of adopting the policy of simply carrying the road into and through the fertile lands of the North West, and of postponing until this country could better bear the burden the construction of the railway to British Columbia. To be of any use the British Columbia section must be wholly completed, and that must be a very considerably distant day under the most favorable circumstances. My own impression is that the through line is not going to secure to Canada those many advantages which have been shadowed forth on many occasions, that the Japan and China trade which we have heard glorified so much is a myth. The cost of the railway in British Columbia, I do not hesitate to say, will exceed $40,000,000. I do not say how much it will exceed it, but it will be above that amount, and, when built, it will cost a million a year to keep it up. Now, in all sober thought, it is for the people of this country to ask themselves "are we equal to such an undertaking? Is this country in a position to stand the drain of that enormous expenditure in addition to the heavy outlay which we must incur to reach the eastern slopes of the Rocky Mountains?" The Government, apparently, by the resolutions placed before us, do not feel justified in constructing, on a cash basis, the road from Manitoba westward where a road can be constructed for a comparatively small sum. They propose to apppopriate a hundred million of acres of land for the purpose, and invite the co-operation of the empire in the construction of the road, while in British Columbia they propose to put under contract a portion of the work between now and next session. It may be urged that the late Government contemplated something similar. But the late Ministry, when inviting tenders for the work, were not prepared to commit themselves to accept any tender unless it was of such a character as they considered would be entirely justified by the circumstances of this country. The late Government had endeavored, over and over again, to induce a company to undertake the construction of the road on the subsidy plan of lands and money combined, but all their efforts failed. The events of the last five years have opened the eyes of the capitalists in Europe to the fact that there is no money in railways on this continent. The loss of hundreds of millions of dollars in railways in the United States and in this country, has convinced bondholders and stockholders of that fact. Therefore, feeling that the original idea of building the railway by aids of lands and money will, in all probability, have to be abandoned, I had hoped that the Government, in their strength, and with the accumulated wisdom that we have all learned in the past nine years, would have seen their way to have postponed the construction of the railway in British Columbia, where it would be of compara-

tively little service to the people except while the money was being spent in its construction, and very little use to this country for a quarter of a century at least. The immense advantages that enthusiastic people tell us will flow from a through line is a pure delusion. If a large Asiatic and Japan trade was waiting transport across the continent, the Union Pacific would have had such a trade. That road connects probably the richest country in the world with the Atlantic seaboard of one of the largest, most prosperous and enterprising nations on the earth. It passes through one of the richest mineral regions on the continent. No country has given forth from its bowels such enormous quantities of the precious metals as the country traversed by the Union Pacific, add yet it has not been a financial success. We cannot hope to see that rapid development on our Pacific coast. The circumstances that stimulated the growth of commerce in California, during the last quarter of a century, will not be repeated during the next twenty-five years in British Columbia. We should, therefore, ask ourselves is this enterprise worth all that it will cost? There is no doubt that we all have a feeling of pride and pleasure in the thought that we are laying the foundation of a great nation on this continent, and we are all naturally anxious that the original terms of union should be carried out with British Columbia, but if Canada is to be unduly weighed down by the construction of the road, is it right that British Columbia should demand the pound of flesh at the expense of Canada's financial ruin? With the other necessary expenditure which must take place in the inhabited parts of the Dominion, is it advisable that we should expend this forty millions of dollars in British Columbia at the present time, and all for a population largely migratory—a population of only thirteen thousand souls, exclusive of Indians. The day for sentiment has gone by, and when we are heaping up enormous burdens on the taxpayers of Canada we should pause and enquire whether the proposed expenditure can be borne. I think that the prospect is one which should cause us all to reflect. I see that the Government proposes to occupy further time in making surveys. Masterly inactivity is a wise card to play under the circumstances. They have taken power, however, to let a part of the work. I should regret if they should exercise that power. I believe that before another year the sentiment of this country will be very much changed. We must make a struggle to get to the North-West, and to attract emigration from Europe, and to settle that vast territory and make it the populous part of the Dominion. Our energies ought to be directed to accomplish that object because the advantages are apparent. But to spend such enormous sums of money among a population of 13,000 people, three thousand miles away from the settled portion of the Dominion is in my judgement premature. The British Columbia section can be of little use till connected with an all-rail line leading to the Atlantic, and it is not now contemplated to construct the road east of Thunder Bay, and thus the section in British Columbia, if built, would not for many years have an all-rail connection with the eastern seaboard. Many hon. members may express surprise at these utterances, bnt the time has come when the gravity of the position ought to be candidly discussed. In giving expressions to these opinions, I speak for myself alone, and not for any other person, either in or out of this Chamber. They are opinions that may not be shared in by any political party in Canada, or by any considerable number of people, but I do not hesitate to say that, before another year, the circumstances of this country, burdened as it is by a high protective tariff, and an increasing expenditure, will cause the people of Canada to enquire whether we are financially equal, at the present time, to the construction of the railway in British Columbia.

Hon. Mr. MILLER—I did not intend to offer a remark on the Bill before the House. Every hon. gentleman must feel at the end of a long and weary session, and at this late hour of the evening, that it is with a very great deal of disadvantage that a member of this House could attempt to speak upon any question, no matter how interesting, and no matter in what favorable color he might be able to present his views, but, even at the risk of wearying the House for a moment, I cannot sit silently by, and allow the hon. Senator from Ottawa to speak as he has

done, without offering a few remarks upon the subject. I do not think that I have ever listened to a speech in this House with more astonishment than I did to the remarks which fell from my hon. friend. When I recollect that he occupied for five years the position of a Cabinet Minister in this country—that during a very important period in the history of this Dominion in relation to this great public work, he occupied the high position of one of the Governor-General's advisers—I certainly did not expect to hear from him, on the present occasion, views such as he has uttered to night. Is it not well known to every member of this House—to every intelligent man in this country—that this great national work is not the work of one party, that from the outset it had been advocated by both political parties into which the country is divided? Last session I showed the House very clearly that there was no more ardent, persistent, and consistent advocate of this great national highway than the leading organ of the great party to which my hon. friend belongs, and that organ, long before British Columbia was brought into the Union—long before the construction of the Pacific Railway had been decided upon by this country—had declared that it was an indispensable necessity to the consolidation of British power on this continent that British Columbia should become a portion of the Dominion, and that it was absolutely necessary afterwards that the Dominion should be bound together from ocean to ocean by an iron road, and that without such a railway the union would be merely one in name, and never could yield to the people of this country the great advantages which we all expected to derive from it. There was no organ, or party or man, in this country that more strongly and consistently advocated those views than the leading organ of the party to which the hon. gentleman belongs. Afterwards, when my hon. friend and his colleagues assumed office—he speaks to-night without the responsibility of office—one of the first acts which that Government performed was to give no uncertain sound and assurance to the people of this country, and of Great Britain, that it was their intention to carry on that great undertaking—that faith was to be kept with the people of this country, and especially with the people of the North-West, and of British Columbia. One of the first duties which developed upon them, the first responsibility they were called upon to deal with—and it was a grave responsibility—was that this railway should be carried out in good faith between the contracting parties. Such was the policy which was enunciated day after day under circumstances which I shall not undertake to describe—because they are matters of history—circumstances which furnished proof of their earnest desire, and a pledge to the people of this country, that they would not be recreant to the duty which devolved upon them, of building this railway. Their acts, during the last five years, have been interwoven with pledges to all concerned, that that great undertaking should on no account suffer in their hands. It was held to be a necessity, and no one could have believed, after all the assurances which the late Government gave to the people during the five years they held power, that a leading member of that Government, six months after shaking off the responsibilities of office, would enunciate sentiments such as these to which he has given utterance to-night.

Hon. Mr. SCOTT—I am not speaking the views of any one but myself.

Hon. Mr. MILLER—The hon. gentleman said that when the late Government assumed to deal with it under peculiar safe-guards and precautions—that when they undertook to change the policy of their predecessors in regard to the construction of the road—they passed a resolution, and embodied it in their Act providing that the expenditure on the road should not be such as to impose additional taxation on the country.

Hon. Mr. SCOTT—Hear, hear!

Hon. Mr. MILLER—The hon. gentleman says, "hear, hear!" I will come to that point now, and we will see how that condition was kept. Does not the hon. gentleman know that the same condition was attached to the original contract between British Columbia and the Government of Sir John Macdonald—that after the contract was entered into, the House of Commons, with the consent of the

delegation from British Columbia, passed a resolution almost similar to that which was adopted by the Parliament of Canada in 1874, and that although a specific time was mentioned for the construction of that great railway, (because it was necessary that some time should be mentioned to show that we were in earnest), it was well understood that if reasonable diligence and exertion were being put forth to carry out that contract, British Columbia would be satisfied, just as the Maritime Provinces and the Upper Provinces were satisfied with the manner in which the Intercolonial Railway was built, although it was not finished until eight years after the time had elapsed for its completion? So in the case of the Pacific Railway, the whole Dominion—and no portion of it more than British Columbia—would have been satisfied if reasonable diligence, within the ability of the country, had been shown in carrying out that undertaking. The wisdom of the first scheme proposed by the Government of Sir John Macdonald is exemplified by the fact that the resolutions before us are based upon the same principle—that the road shall be constructed by means of a subsidy within the ability of the country. That was the scheme of the Government in 1872, when the railway was inaugurated. It was only to-day that I was reading the speech that I made on that occasion, and I find that the policy which I then advocated, is now the policy which, I am happy to say, the present Government is assuming. When this project was undertaken, there were no expectations that a burden of more than thirty millions of dollars would be placed on the country, but the late Administration changed that policy, and have greatly increased the difficulties of carrying out the undertaking. The hon. gentleman said "hear, hear," just now, when I stated that a resolution had been placed on the Journals of the House in 1874, declaring that the burden of the country should not be increased for the construction of the Pacific Railway. I ask my hon. friend, and I ask this House, how that promise was kept? Did they not break it! Did they not proceed with that work in a way which increased the burden of this country! What regard did they manifest for the conditions with which they pretended they had guarded the public interest? We all know from the day they came into office until they left it, they every year added more or less to the debt and taxation of the country in order to meet the great expenditure which they undertook in the face of the resolution they had placed on the Statute Book, that it should not increase the public burden. Under the policy which is now about to be inaugurated by the present Government—a policy of making that vast territory contribute its fair share towards the completion of this great public work. By utilizing the public lands of the North-West, and while using them, we can fill that territory with a large population which will increase its wealth, and assist the taxpayers of this country to bear the burden imposed upon them. If such a policy had been inaugurated five years ago, it could have been carried out then easier than it can be now. We would not then have suffered from the blunders which have since been committed; we would not then have had the burdens which we are now called upon to assume. If the policy which the late Government intended to have pursued in connection with that work, had been carried out in good faith; if it had not been necessary to carry out a policy which would have the effect of condemning the original scheme; if they had been animated by a patriotic desire for the good of the country, we would have been in a better position to day to carry out the policy which is now submitted to us.

Hon. Mr. SCOTT—The hon. gentleman forgets that we offered a subsidy of 20,000 acres per mile and could not get a bid on it.

Hon. Mr. MILLER—I do not believe that there was an earnest attempt made by the late Government to carry out the work.

Hon. Mr. SCOTT—We advertised it frequently. We advertised that we would give 20,000 acres of land per mile and a four per cent guarantee and yet we could not get an offer.

Hon Mr. MILLER—It was very easy to attempt to carry out that policy in such a way as would make it a failure in order that the argument might

be used that the original policy was not a sound one. There is too much reason for supposing that such a course as that was pursued, and the consequence has been that the country has lost largely. I am glad that this Government are going to assume a scheme in every way a noble, national, wise and prudent one which will relieve the taxpayers of the burden which this work must entail and also fill the North-West with a numerous population. My hon. friend from Ottawa advises that nothing further should be done towards building the road in British Columbia. Does the hon. Senaior mean to repudiate the agreement with British Columbia and does he reflect the views of the party to which he belongs?

Hon. Mr. SCOTT—I speak my own views only.

Hon. Mr. MILLER—Then in what position does the hon. gentleman place himself! Has the policy of the Government for the last five years been a grand deception upon the people of this country and upon the people of British Columbia? Why were we spending millions of dollars of the public money, during a time of depression, west of the Rocky Mountains? Was this all a farce? If my hon. friend is sincere now, if the policy he enunciates now was his policy when he was a member of the late Government, in what position does he place that Government before the country?

Hon. Mr. SCOTT—I said that I did not speak the sentiments of the Government; that I merely spoke my own.

Hon. Mr. MILLER—I have never seen a gentleman who occupied a prominent position in any Government placed in such an unfortunate situation. Now, my hon friend has also stated that not only are the Government about to earnestly assume the construction of this great work under circumstances which will very materialy impose new burdens on the people, but they are changing the line so as to endeavor to find out the most costly route. I understood my hon. friend to allude to the change of route in Manitoba?

Hon. Mr. SCOTT—I made no reference to lines anywhere.

Hon. Mr. MILLER—If I am mistaken I am very glad that I misunderstood the hon. gentleman. I do not intend further to trespass upon the attention of the House, but I could not allow the remarks which have fell from the hon. gentleman beside me, (Mr. Scott), to pass without my protest. I hope this country will prove true to the mission upon which it is engaged, and although there is a dark cloud long overhanging our horizon, I believe that under such a wise policy as we are now initiating in regard to the stimulation of our national industries and the construction of this great work, with prudence and patience we may be able yet to work through to a satisfactory end. That must be the desire of every man who listens to me, and not that we should be untrue to the pledges that we have made; not that we should abandon any portion of the work after having spent so much money upon it, but that we should persevere to the end and reach the consummation which we all desire—to unite the Dominion from the Atlantic to the Pacific by iron bonds. My. hon. friend has gone out of his way to throw ridicule on the idea that we should hope for the trade from Asia. He forgets that when this road is built we will have the shortest line across the continent. He forgets that the empire to which we belong is the most powerful nation in the world, that her greatest possessions are in the east, and, therefore, that our road would possess advantages in that respect which would not be possessed by the trans-continental highway of our great neighbor. In that respect the comparison which is instituted is not a fair one. I am sorry to see my hon. friend, after years of persistent committal to a policy which he must have believed at the time was good for the country, get up so soon after having thrown off the shackles of office, and repudiate all his former utterances. My brief protest against his remarks is only so brief because I could not any longer trespass on the patience of the House at this late hour of the session.

Hon. Mr. McLELAN—I do not rise to discuss the Pacific Railway policy, past or present, but to express my amazement

at the utterances of my hon. friend the ex-Secretary of State. The hon. gentleman who has just addressed us has given expression to the astonishment with which he heard those remarks—words which will be read with amazement by the country, and which will affect the position of the Dominion, not only in British Columbia, but in Great Britain. Here is an hon. member who, after having been a member of the Government for five long years, says, now that we have an honest Government, now that we have a strong Government coming into power, we should take an honest course with regard to the Pacific Railway. Are we to understand that we have had for five years a Government which has been acting with fraud and deception towards the country! What else can we take from his words? The House will remember that so soon as they came into power the first utterance they gave was that although the preceding Government had agreed to construct that road by a subsidy of $30,000,000 and 50,000,000 acres of land, that they should build that railway as a Government work and save the profits to the people.

Hon. Mr. SCOTT—We never did anything of the kind.

Hon. Mr. McLELAN—I have read time and again the utterances of the late Premier on the hustings in the west, that it was the business and the policy of the Government to construct this road, as a public work, in order that the people of the Dominion might have the advantage of it.

Hon. Mr. SCOTT—The hon. gentleman has not read the advertisements we published offering 20,000 acres per mile to any company that would undertake the construction of the road.

Hon. Mr. McLELAN—That was later.

Hon. Mr. SCOTT—That was in 1874.

Hon. Mr. McLELAN—Those advertisements, of course, appeared, but I ask this House to consider the position in which the hon. gentleman has placed himself. He has declared to-night that it was not the intention of the Government to construct that road, and that their assurances to the contrary were dishonest, and calculated to deceive the people of British Columbia. The very next step that they took was to order 50,000 tons of steel rails. Although the hon. gentleman has told us to-night it is madness and dishonesty to construct a railway in British Columbia, the Government, of which he was the leader in this House, sent a portion of those rails to British Columbia. If it is dishonest for the Government of this country to talk of the construction of this railway, was it not infinitely worse for his Government to have acted dishonestly when they were still strong, and still more so when they became weak, because the very last act they committed was to call for tenders for the construction of 125 miles of railway in British Columbia, and, as I have stated, the very first thing they did towards its construction was to order steel rails to be sent to Yale. What was the meaning of that? Was it to deceive the people of British Columbia, and the people of the mother country?

Hon. Mr. AIKINS—It was before the elections.

Hon. Mr. McLELAN—Before they had a mile surveyed they ordered three million dollars worth of steel rails, and just before the elections last summer the first act towards the construction of the Pacific Railway in British Columbia was to order the removal of the rails to Yale. This is another instance of "the ruling passion strong in death." I take it as an indication that they intended to construct the railway themselves in British Columbia—either that, or they were acting a dishonest part; yet, the hon. gentleman now tells us it is a dishonest to talk about the construction of this railway.

Hon. Mr. SCOTT—I did not use the words, "honest" or "dishonest."

Hon. Mr. McLELAN—It was not only dishonest towards the people of British Columbia, but it was dishonest towards Lord Carnarvon. What mean the Carnarvon terms it there were no honesty in all the proceedings of the late Government for five long years? One can hardly

think of the utterances of the hon. gentleman to-night and speak with moderation. One can hardly conceive that an hon. gentleman who occupied for five long years such a prominent position in the Government of this country should bring such disgrace upon the public men of Canada as to declare that that Government had been acting with deception towards the people of British Columbia and the world. The people of Canada will lose all faith in their public men if such utterances as these are to go without condemnation, and the capitalists of Europe will be cautious about trusting men who think so lightly of the plighted faith of the country. The hon. gentleman has wrought upon the country a disgrace which will not easily be effaced.

Hon, Mr. SCOTT—I am amazed at the feeling which my words have aroused. I spoke for myself, without consultation with any member of the late Government. I threw out some observations which I thought would lead to reflection upon the changed condition of affairs since the bargain was made with British Columbia. If we had forseen the difficulties which have arisen since 1872, I do not think we would have entered into such an arrangement with that Province. In 1873 we thought that we could, by strenuous efforts, build the road; we thought so when the Pacific Railway Act was passed in 1874, and we offered 20,000 acres per mile and a four per cent. guarantee to any company that would undertake to build the road, yet we could get no offer. The announcement was made both in this Chamber and in another place that the work had been commenced in obedience to the public sentiment of the country that some progress should be made, and on the understanding that the work should be taken from the hands of the Government if a company could be induced to tender for it. When 1873 came, it was not the time —I will not say to repudiate, but to discontinue our engagement. It was hoped that a brighter day would dawn; that an era of prosperity would shortly dawn upon Canada. During 1876 and 1877 the times became worse, and in 1878 the wave of depression seemed to increase. I repeat that I have come to the conclusion which I have expressed simply from the experience of the last two years. From my stand-point at all events, the day is distant when that state of prosperity will have arrived which will justify us entering upon such an expenditure. I put it on the honest basis that I do not think this country is equal to the large expenditure.

Hon. Mr. AIKINS—When did the hon. gentleman come to that conclusion?

Hon. Mr. SCOTT—Speaking for myself, I may say it has been a gradual growth in my mind.

Hon. Mr. DEVER—Since the 17th of September.

Hon. Mr. SCOTT—I had thought of it before the 17th of September: I felt that a day was coming when we really had to consider whether the energies and ability of this country were equal to the strain that must be put upon them if this enormous sum of money has to be expended in British Columbia. It was purely a question of ability to undertake the work. We had to expend a certain sum of money to get to the prairie country because it was there that we had to look for a return for the outlay. Nothing can shake my own individual judgment—a judgment arrived at without consultation with any member of the late Government—that the burden is too heavy for us to bear. Governments when they are broken up, are no longer acting in concert; each member is perfectly free to discuss public questions from his own stand point. The hon. gentleman from Richmond has alluded to the *Globe*. I am not bound by the utterances of the *Globe*. That organ has always been a zealous supporter of the all rail route. It would have much preferred that to the disjointed route which the late Government were endeavoring to carry through. The *Globe* did not express the views of the late Government on those particular questions, except when the Government had a policy and they announced it; therefore, it is idle to charge me, as both the hon. gentlemen who have just spoken have done, with acting dishonestly. Those words are very strong, and the hon. gentlemen went further than I thought it wise or proper they should have gone under the circumstances. I am now speaking frankly

as a citizen of this country and a member of the Senate of Canada, and I ask whether, considering the enormous tariff we are this year adopting, we are equal to the strain of the additional forty or fifty millions of dollars which would be required for the construction of the railway in British Columbia. I said that it ought to be postponed, not abandoned.

Hon. Mr. McLELAN—I think you used the words the construction of the railway there was a "myth," and that the project should be "abandoned."

Hon. Mr. SCOTT—I said that it ought to be abandoned for the next ten or fifteen years at all events. I have no doubt that it will be abandoned for that time, and it is mere idle sentiment for hon. gentlemen to argue differently. We will all come to a recognition of the truth, and I think the sooner we do break the ice and realize the position in which we are placed the better for us all. It may be a rash thing for me to expose myself to the sharp cuts of hon. gentlemen by expressing my honest convictions, but I do not think that any member of the Senate when he speaks in the frankness and candor of his own heart, and in the interests of the country, should be taunted in that way. It does seem to me that there is a desire to make it appear disloyal if an hon. gentleman expresses an idea which is contrary to the particular circumstances of the times. I do not believe that the railway will be built in ten, or in fifteen years in British Columbia. It is just as well, if I do not believe it, to say so, and I think it will help to form public opinion in this country if gentlemen having decided opinions on the question—opinions the result of observations extending over a considerable period—should express them. It may be that I do not take as hopeful a view of the case as other men, but whatever my opinions are I am alone responsible for them. I repeat that I have not consulted with anybody on the subject, but when I see this tariff brought down here, and when I feel that the people of this country are to be taxed two or three millions a year more, and that we have to finish the public works now under way, to complete our canal system, and construct the railway system of the North-West—because I think there is a fair field there for the expenditure of the public money—I think it is my duty to express my honest conviction. That the present Government will succeed in getting aid from the Imperial Government to carry out the undertaking, I do not believe. I do not see how we can expect it. By one Act of Parliament we declare that we decline to trade with them. We tell the British manufacturers that we refuse to trade with them, and by another Act we invite the mother country to guarantee the money that is to build the railway in the North-West. We must raise the money in some way, but where it is to come from I do not know. If sugar is to be refined in Canada, one and a quarter million of dollars will be lost to the revenue there. If we shut out foreign goods we must raise the revenue in some way, and I do not know any other source than by customs duties. Therefore, I say, taking those things conjointly, and with the accumulated experience of the past, I do not see how we can proceed with the construction of that railway in British Columbia at the present time. I should certainly not have uttered these sentiments two or three years ago, because, as I said, I felt hopeful that the country would rise more rapidly out of the depression. There is no internal cause for the depression in Canada, it is purely a reflection of the hard times in the United States and in other countries. If the Americans will not buy our boards, and the English people will not buy our deals, and if the produce of this country will not command prices which made it so valuable some years ago, we will simply have to wait for better times. There will come a time when our exports will be sought for in other countries. That time is coming, but it will come gradually. We should not expect that it will arrive with a jump, unless it should be from accidental causes, as it did twelve years ago during the American war, and the enormous development of wealth in California and other parts of the world which stimulated them to buy from us. Therefore, our return to prosperity is likely to be gradual, and it is only in view of that fact that I made the observations that I did to-night. If I felt that we were equal to the task I should be the last gentleman in this Chamber to advocate anything like hesitation in the construction of that road. The question

is simply whether we are going to tax ourselves so enormously only to find at the end that we have been increasing our burdens without accomplishing our object. It is better to pause now than later on, but pause we will and that road in British Columbia will not be constructed within the next ten or fifteen years.

Hon. Mr. TRUDEL—If the hon. Senator from Ottawa is sincere in the views he has expressed to-night (and I am sure he is) he should bitterly regret having aided his party in defeating the original scheme for the construction of the Pacific Railway—a scheme which involved an expenditure of only $30,000,000 on the part of this country, or an annual charge on the Dominion of only$1,500,000. The hon. gentleman says that the late Government, under their Act of 1874, endeavored to carry out the project by offering land grants, but they could not have expected success after they had destroyed all confidence in the scheme, and had, by every means in their power, sought to cast discredit upon it. Everyone knows that the late Government never made an earnest effort to build that road. I have great hope that the scheme brought down this session will succeed, and that it will restore the prosperity of the Dominion; that it will bring a large population into this country and build it up. It has been by immigration that the United States has become such a powerful nation. The hon. gentleman thinks that our protective policy will prevent the success of our railway scheme in England. I can only repeat what I have already said—that I believe the people of England will readily understand that it is better for them to see us producing all that we can in Canada instead of becoming a commercial dependency of the United States. I do not see how our national policy is going to prevent England from buying our natural products. She buys them, not from sentiment, but because she wants them. I congratulate the Government on this measure and I have no doubt that it will have the effect of relieving us, to a large extent, from the depression from which we are suffering and which has been brought upon us, in a great measure, by the policy of the late Government.

Hon. Mr. HAYTHORNE—I think that on an occasion of this sort there is very little satisfaction to be derived from a desultory debate such as we have just listened to. It seems to me that the proper occasions for such debates are past, and anything that we offer now is of very little use and can merely serve the purpose of enabling hon. gentlemen to put their views before the House. I cannot condemn the policy of the late Government in regard to the Pacific Railway in such a wholesale manner as some hon. gentlemen who opposed them, do. I think that their conduct has not been properly understood or appreciated. Hon. gentlemen do not seem to have taken into account the great difficulties that surrounded them. I have had some occasion, while serving on Committees of this Honse (besides that much talked of Committee on the Fort Francis lock) to become, in a manner, thoroughly acquainted with those difficulties and have learned to appreciate, at all events, the obstacles which had to be overcome in making surveys across an absolute wilderness to enable us to put a railway there on any terms whatever. The late Government did a great deal of work of that sort, as is shown by the reports of the engineers, and they also commenced the work of construction in several places. They laid the foundation of the road, and everyone knows that when a builder lays the foundation of a structure he is about to erect, if it is properly done, a very large step is made towards its completion. I am not at all disposed, from all I have seen, to condemn the late Government too readily for their conduct in relation to this work, although, possibly, I may hold rather different opinions from those expressed to-night by the ex-Secretary of State as to the necessity of commencing the line in British Columbia. My own opinion is that, having entered into it as a people, we are bound, according to the best of our ability and when we can do so without serious detriment to the country, to commence work; and, even though it be on a small scale, it is proper that we should do so, though not to the extent, under existing circumstances, to which the present Government seem disposed to commit the country. Perhaps it would relieve the acerbity which has accompanied this debate to refer to another matter, and, as I saw the Secretary of State about to rise to speak as I rose my-

self, I will call his attention to a subject which has attracted very little attention this Session, although adverted to by His Excellency in his Speech from the Throne —I mean the distribution of the amount awarded to Canada by the Fisheries Commission which sat at Halifax last year. Now, so far as I am aware, neither in this House nor anywhere else has the Government given any intimation of the course they have pursued with regard to the disposal of that sum. I understand that there is about $4,000,000 of that unexpended—that is, there remains some $4,000,000 after paying the expenses of the Halifax Convention—and it is rather important for those who reside in the Maritime Provinces, which have actually gained this sum for Canada to know how it is to be disposed of. It would certainly have been satisfactory to the gentlemen representing those provinces had the Government thought proper to have given some intimation as to the manner in which they intend to expend that money for the benefit of the Fisheries which gained it for them. I think there is some misunderstanding as to the sacrifices made by the Lower Provin es in opening their Fisheries to the Americans. It is obvious that the fishing grounds, however good they may be, cannot be occupied by double the number of craft engaged in the same pursuit, without disadvantage to those who are the proper owners of these grounds. I do not claim for the fishermen of Prince Edward Island the exclusive right to the fisheries on their coast. If the people of Montreal or Quebec are disposed to go into the fishing business, we would welcome them, but it is quite a different thing when you come to admit foreigners, as we have admitted the Americans. I wish to call the attention of the House, as briefly as possible, to some of the circumstances under which the privileges were originally granted to the Americans in reference to those fisheries. It may be within the recollection of the House, that at the termination of the American war, a system prevailed of licensing American fishermen in our waters, and they enjoyed certain privileges under those licenses, which have since been conceded to them by the Washington Treaty. That licensing system arose in this way. Constant quarrels had occurred in consequence of the attempts made to exclude the American fishermen from the three mile limit. It is very difficult to decide where that line is, and sometimes vessels were taken by British cruisers within the three miles line, but, the Americans asserted, beyond that limit. I speak now of that period when the civil war in the United States had just ended, and when that nation was, perhaps, one of the most formidable powers in the world. They had still a large military force on foot, and they had also a navy which, perhaps, might not now be considered very formidable, but, which was then formidable in consequence of its numbers, and being ready on the spot. It was for these reasons that our neighbors were unusually dangerous at that period. At other times we would have paid less regard to their threats. Accordingly, the British Government and the American Government came to a conclusion that they would inaugurate a system of licensing as a temporary measure. These licenses were issued by the different provinces concerned. Confederation took place about 1866, but Prince Edward Island remained outside the Confederation, and we issued our licenses and recognized those of Canada also. That system was continued until about 1869. At that time the Dominion of Canada had good hopes that a new reciprocity treaty might be obtained, but their hopes ware disappointed. They found that the Americans were not disposed to yield reciprocity for the fishing privileges, and we had to exclude them again. At that time, after the licensing system had been in operation for several years, there followed a period when they were excluded altogether from the three mile limit. Prince Edward Island was willing to do all that she could in her small way to co-operate with Canada, but still, sacrifices were required from her that she was not prepared to make. The Americans were friendly and purchased a good deal from us, but still we were obliged to exclude their vessels from our shores. A year or two later the negotiations for the Washington Treaty took place. Our Province was still outside the Union. As soon as the Washington Treaty had been agreed to and while it had to undergo the ordeal of being carried through the Legislatures of the several Provinces interested

in it, to obviate the difficulty which these constantly recurring disputes occasioned, a suggestion was made to us that we should give access to the American fishing vessels just as had been done before the former reciprocity treaty was abrogated. Application was made to permit the admission of the American fishing vessels to our grounds before the Treaty of Washington was ratified. That privilege was granted. The Government of the day in Prince Edward Island, of which the present Minister of Marine and Fisheries was leader, took the whole matter into consideration and sent a long Minute of Council upon it, the result of which was that an Order issued to admit American fishermen within the three mile limit. The American Government had, on their part, given a pledge that, in return for these privileges being granted in anticipation of the Treaty of Washington coming into operation, they would apply to Congress to refund any duties which might, in the meantime, be paid upon fish imported into that country from the Province. Canada decided not to fall into that arrangement. She adhered to the policy of exclusion. The American Government refused to make those refunds after having enjoyed the use of our Fisheries before the Treaty was ratified. When we made application for the money, which a prominent member of their own Government had promised, we met with a direct refusal. When the Commission sat at Halifax, and the claims of Canada were presented, this very Order in Council, admitting the American fishermen to the fisheries of Prince Edward Island, was produced, and the claim of that Province presented, and, consequently, Prince Edward Island claims that for the use of her Fisheries in 1871, she is fairly entitled to receive consideration out of the award which was made by that Commission, and which is now held by the Dominion Government. I think it will be found, when this case comes to be investigated—as I do not doubt it will be—that very little can be said against our claim for the use of the Fisheries in 1871. As to the disposal of the amount of the award, I must say that I am very much inclined to concur in the views expressed by a gentleman of large experience in the matter in another place. I myself gave expression to the opinion at the commencement of the session, that a fund gained by the Fisheries, in the way that this has been, should be devoted to the use of the Fisheries. I am of that opinion still. I think that it should form, as was suggested in another place, a special fund, and that the interest arising upon it should be devoted to the use of the Fisheries. But, I go further than that: a wise course to pursue would be to sub-divide that fund into four portions, the amount of each portion to be determined by a commission which might very easily be constituted by calling upon the Governor-in-Council in each respective Province to name a commissioner and the Dominion Government to name another. Those five commissioners might easily decide how the award should be disposed of, and what amount of interest upon it should go to each of the Provinces interested. I know that a good deal of difference of opinion exists as to the value of the Fisheries of these Provinces. I know that one hon. gentleman, who is not now in his place, entertains what I would term a rather extravagant idea as to the value of the fisheries of his particular Province, and therefore, in my judgment, it is far wiser to allow matters of that sort to be decided by commissioners than upon the opinions of individuals who are personally interested in it. There is one thing to be said, that the question which would have to be decided in that case is not merely the absolate value of the fisheries, as they can be measured by the annual returns of the Minister of Marine and Fisheries, but how much those separate fisheries contributed towards obtaining for Canada the award which was made at Halifax. Take the case of my own Province, for instance. Our fisheries figure to a rather meagre amount in the returns of the Minister of Marine and Fisheries, but, perhaps, for their extent, scarcely a spot in the Dominion contributed more largely than they did in the award at Halifax. The Americans certainly value those fisheries very highly, or they would not be found in such numbers frequenting our shores every summer. I thought it my duty to extract from the Ministry some statement as to the course the Government think fit to pursue as to the disposal of this fund, and I hope that it will never have to be said that Canada has made herself rich by devoting to the

general purposes of the Dominion a sum of money which was made exclusively by her fisheries, and which the fisheries require urgently at this present time. I am confident that if enquiry were made it would be found that the fisheries of our Province require the outlay of a very large sum to enable our fishermen to compete with any success with the the Americans who are fishing within the three mile limit. Our fishermen labor under great disadvantages, and very little has been done for their benefit either by the Local Government before Confederation, or by the Dominion Government since the Union. I have given a very hurried glance over the items in the Supply Bill, and I cannot see that any very considerable sums have been voted for the use and protection of the fisheries for the present year. It is a subject of deep interest to many hon. gentlemen, and I hope that the House will pardon me for trespassing so much on its time. It was my intention to have offered some remarks upon the commercial policy of the Government, but at this late hour I shall not do so.

Hon. Mr. GIRARD—I need hardly say that I approve heartily of the railway policy of the Government. Many errors have been committed in the past in endeavoring to construct our great highway, but those errors should only be remembered for the purpose of avoiding a repetition of them in the future. An engagement has been entered into with British Columbia, and we must fulfil it. We must prove the good faith of the Dominion by prosecuting the work with all the vigor and energy we possess. I believe that the return for our expenditure will be more immediate than some hon. gentlemen seem to think it possibly can be. I believe, therefore, that this is a step in the right direction and that it will be attended with the best results. There is one subject to which I wish to call attention—the increasing cost of administering Indian affairs in the North-West. In 1870, it amounted to only $6,000, under the old Council of Assinaboia. Since then, the increase has been enormous, and I would not be surprised if the Government thought fit to change the whole policy of managing affairs in the North-West. Every one admits now that the Government of the North-West Territories was organized prematurely. We do not know how they administer affairs, but I am sure that this House would be interested to learn the amount of business transacted in some of the offices there—for instance, the Registrar's or the Sheriff's. I think the House would come to the conclusion that there is not sufficient population in that country yet to justify such a large expenditure. I am pleased to learn that the Government propose to teach the Indians to cultivate the soil. It is high time that something of the kind should be done, but care should be taken to select trustworthy men to expend the money appropriated for that purpose. We have the experience of the United States to show the risk which we would run if dishonest men were employed to deal with the Indians. If the money were placed in the hands of the missionaries—I do not refer to any denomination particularly—who have been devoting their lives to reclaiming the Indians from barbarism, we could all feel that it would be well expended. The missionaries have the interests of the Indians at heart; they understand their needs and in every way are well qualified to carry out the views of the Government. I regret to observe the continual increase of the expense attending the management of Keewatin and the North-West Territories, and I hope that a reduction can be effected by the present Administration. It is too late in the session to enter into details of that expenditure, but I would call the attention of the Government to the necessity of economy in that direction.

Hon. Mr. AIKINS—The hon. Senator from Prince Edward Island might think that I was not treating him properly if I did not reply to his question. He is anxious to know what disposal the Government is going to make of the Fisheries Award. This House has been in session for three months, and we have had abundance of time to consider the question. If the hon. gentleman had been anxious to obtain information he had only to put a notice on the paper and make his enquiry, and the answer would have been given him. I am not going to reply to the hon. Senator from Ottawa, but I

regret exceedingly the remarks he has seen fit to make use of this evening. I was never more surprised in my life, and I could not have imagined it possible, knowing the position which he occupied in the late Goverment, that he could, so soon after leaving office, have expressed such views. I believe that he made the statement in all honesty.

Hon. Mr. SCOTT—No doubt about it.

Hon. Mr. AIKINS—The advice he was prepared to give us was, that because there were only about thirteen thousand people in British Columbia we should break faith with that Province. He considered that the idea of expending $40,000,000 to get the road through there was absurd. When I think of the number of despatches to which the hon. gentleman's name is attached; when I think of the ambassador which the late Government sent to British Columbia in the person of Mr. Edgar; when I remember the Carnarvon terms to which the hon. gentleman as well as his colleagues assented—terms which involved an expenditure of between eight and ten million of dollars over and above the cost of the Pacific Railway—and when I think of the fact that the late Government were prepared to give $750,000 as a free gift to British Columbia for what purpose?

Hon. Mr. SCOTT—To postpone the building of the railway.

Hon. Mr. AIKINS—That is all. The $750,000 was to be given to purchase time. When I think that the honorable gentleman was a member of the Government, who pledged themselves that they were going on to spend two and a half millions of dollars a year in British Columbia; and when I hear the hon. gentleman advising the present Government to break faith with that Province, and not to spend a dollar there, what conclusion can I come to—what conclusion can the outside world come to but this: that the late Government were not dealing fairly and honestly with the people? No other conclusion can be arrived at, and the hon. gentleman will regret that speech when he comes to reflect upon it.

Hon. Mr. SCOTT—Never.

Hon. Mr. AIKINS—I have never heard such a statement as that made by an ex-minister. He advises this Government to repudiate our obligations with one of the Provinces of the Dominion; to tell the people of British Columbia that they may go; that they are only 13,000 souls. Before I would occupy that position I would cease to be a member of a ministry and of this House.

Hon. Mr. SCOTT—I simply advised a postponement of the expenditure.

Hon. Mr. AIKINS—What did the hon. gentleman say? That the road was only a myth!

Hon. Mr. SCOTT—That it will be for a long time.

Hon. Mr. AIKINS—The late Government asked for tenders for the construction of 125 miles of that road. They sent rails to Yale, and all for what purpose? Was it to deceive the people of British Columbia and the people of Canada? Was it to make them believe that the Government were prepared to construct a portion of that road? No other conclusion can be come to, from what the hon. gentleman has said to-night, than that the late Government were insincere in their professions to British Columbia.

Hon. Mr. SCOTT—The hon. gentlemen has no right whatever to connect the late Government with what I have stated here to-night. I have stated that I expressed my own views solely, that I expressed them on my own responsibility entirely, and the hon. gentleman has no right to make a reflection upon the late Government in the manner he is doing.

Hon. Mr. AIKINS—Then the hon. gentleman should have confined those remarks to himself. If I remember aright the hon. gentleman made use of the word "we."

Hon. Mr. SCOTT—When I spoke of the action of the late Government I used the word "we."

Hon. Mr. AIKINS—I do not desire to prolong this discussion, but I repeat, when the hon. gentleman reflects on the speech he has made to-night, he will regret it, and the people of Canada will be astonished to learn that a member of the late Government advocated repudiation of the obligations of the Dominion.

The Bill was read the second and third time and then passed.

The House adjourned at 11.30 p. m.

THE SENATE.

Thursday, May 15th, 1879,

At Two o'clock P.M., HIS EXCELLENCY THE GOVERNOR GENERAL proceeded in state to the Senate Chamber and took His Seat upon the Throne. The members of the Senate being assembled, His Excellency was pleased to command the attendance of the House of Commons, and that House being present, the following Bills were assented to in Her Majesty's name by His Excellency.

The Clerk of the Crown in Chancery read the Titles of the Bills to be passed severally, as follows:—

An Act to amend and consolidate as amended the several enactments respecting the North-West Mounted Police Force.

An Act to reduce the Capital Stock of the Quebec Fire Assurance Company.

An Act to extend the powers of the Dominion Telegraph Company and to further amend the Act incorporating the said Company.

An Act to amend the Act forty-one Victoria, Chapter twenty-one, intituled: "An Act to revive and amend the Act incorporating the Montreal and Champlain Junction Railway Company."

An Act respecting the International Bridge Company.

An Act to authorize the Welland Railway Company to convert their six per cent. Mortgage Bonds into five per cent. Debenture Stock, and for other purposes.

An Act to incorporate the *Gazette* Printing Company.

An Act further to amend the Act incorporating "The London and Canadian Loan and Agency Company (Limited)."

An Act to amend the Act incorporating the Kingston and Pembroke Railway Company.

An Act respecting the Consolidated Bank of Canada.

An Act to amend "An Act respecting the Police of Canada."

An Act to amend the Act to incorporate "The Ontario and Pacific Junction Railway Company of Canada."

An Act to incorporate the Napanee, Tamworth and Quebec Railway Company.

An Act to amend the Act incorporating "The Canada Life Assurance Company."

An Act to authorize the construction of a bridge over the Ottawa River for the use of the Quebec, Montreal, Ottawa and Occidental Railway, and for other purposes.

An Act respecting the "Andrew Mercer Ontario Reformatory for Females."

An Act respecting La Banque Jacques Cartier.

An Act to incorporate the North American Mutual Life Insurance Company.

An Act respecting tonnage dues levied in Canadian Ports under Canadian Law.

An Act to amend "The Post Office Act, 1875."

An Act to incorporate the Geographical Society of Quebec.

An Act respecting Census and Statistics.

An Act to amend "The Penitentiary Act, 1875."

An Act to amend the Act incorporating "The Ottawa Loan and Investment Company," and to change the same to "The Manitoba and North-West Loan Company (Limited)."

An Act to amend and consolidate the laws respecting duties imposed on Promissory Notes and Bills of Exchange.

An Act respecting the offices of Receiver General and Minister of Public Works.

An Act to incorporate the Atlantic and North-West Railway Company.

An Act to make the first day of July a Public Holiday by the name of Dominion Day.

An Act to amend "An Act for the more speedy trial in certain cases of persons charged with felonies and misdemeanors in the Provinces of Ontario and Quebec" and the "Act respecting summary convictions before Justices of the Peace."

An Act to amend an Act to provide for more effectual inquiry into the existence of corrupt practices at Elections of Members of the House of Commons.

An Act to amend the Act of incorporation of "The Confederation Life Association."

An Act to authorize and confirm an Indenture of sale by the Trustees of the Toronto Savings Bank to the Home Savings and Loan Company (Limited).

An Act to amend an Act intituled: "An Act respecting the Intercolonial Railway," passed in the thirty-ninth year of the Reign of Her Majesty Queen Victoria.

An Act respecting certain Ordnance and Admiralty Lands in the Provinces of New Brunswick and Nova Scotia.

An Act to explain and amend the Act respecting the appropriation of certain Dominion Lands in Manitoba.

An Act to amend "The Truro and Pictou Railway Transfer Act, 1877."

An Act to amend the Acts respecting the "Isolated Risk and Farmer's Fire Insurance Company of Canada," and to change the name thereof to the "Sovereign Fire Insurance Company of Canada."

An Act to provide against Infectious or Contagious Diseases affecting Animals.

An Act to amend "The Pilotage Act 1873."

An Act to amend "The Canadian Pacific Railway Act, 1874."

An Act to amend the Act respecting the "Harbor of Pictou, in Nova Scotia."

An Act to remove doubts as to the true intent and meaning of certain provisions of "The Canada Temperance Act, 1878," and to make certain amendments thereto, in so far as the said Act relates to Manitoba.

An Act to amend an Act to incorporate the Detroit River Tunnel Company.

An Act to amend an Act to incorporate the Canada and Detroit River Bridge Company.

An Act for granting an annual subsidy towards the construction and maintenance of Telegraphic communication to and upon Anticosti and the Magdalen Islands.

An Act to provide for the payment of an additional temporary grant to the Province of Manitoba.

An Act respecting the salaries of the County Court Judges of Prince Edward Island.

An Act to grant certain powers to "La Société Permanente de Construction du District d'Iberville."

An Act to make further provisions respecting the Consolidated Bank of Canada.

An Act relating to the protest of Inland Bills of Exchange and Promissory Notes in Nova Scotia.

An Act to amend "The Maritime Jurisdiction Act, 1877."

An Act respecting Building Societies carrying on business in the Province of Ontario.

An Act to amend "The Seamen's Act, 1873."

An Act respecting the Harbor of North Sydney, in Nova Scotia.

An Act to provide for the inspection, safe-keeping and storage of Petroleum and the products thereof.

An Act to amend the Acts incorporating the "Coteau and Province Line Railway and Bridge Company" and the "Montreal and City of Ottawa Junction Railway Company," and amending Acts, and to amalgamate the said Companies.

An Act to continue in force for a limited time "The better Prevention of Crime Act, 1878."

An Act respecting the safe-keeping of dangerous Lunatics in the North-West Territories.

An Act respecting the Official Arbitrators.

An Act to amend so much of the Act thirty-third, Victoria, Chapter forty-six, as relates to the imposition and collection of dues and tolls upon logs, timber, pine, cedar and railway ties, passing down the River Moira through the Port of Belleville.

An Act further to amend "The Canadian Pacific Railway Act, 1874."

An Act to provide for the salary of one additional Judge of the Supreme Court of New Brudswick, and for the salary of any future Judge in Equity of the Supreme Court of Nova Scotia.

An Act to amend and consolidate the Laws relating to Weights and Measures.

An Act to incorporate "The Manitoba South-Western Colonization Railway Company."

An Act to Amend the Act of the present Session intituled, "An Act to provide for the inspection, safe-keeping and storage of Petroleum and the products thereof."

An Act to extend "An Act respecting Certificates to Masters and Mates of Ships."

An Act to amend the Acts respecting the Trinity House and Harbor Commissioners at Montreal.

An Act respecting Trade Marks and Industrial Designs.

An Act to amend the Act relating to Banks and Banking, and the Acts amending the same.

An Act to provide for the liquidation of the affairs of Building Societies in the Province of Quebec.

An Act to amend and consolidate the several Acts respecting the Public Lands of the Dominion.

An Act to alter the Duties of Customs and Excise.

An Act for the acquisition by the Dominion of a certain portion of the Grand Trunk Railway to be made part of the Intercolonial Railway.

An Act to amend the Indian Act, 1876.

An Act for the relief of Eliza Maria Campbell.

An Act further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion of Canada.

An Act to amend and consolidate "The Railway Act, 1868," and the Acts amending it.

An Act further to amend "The Supreme and Exchequer Court Act."

To these Bills the Royal Assent was pronounced by the Clerk of the House in the words following:

"In Her Majesty's name, His Excellency the Governor General doth assent to these Bills."

Then the Honorable the Speaker of the House of Commons addressed His Excellency the Governor General as follows:—

"MAY IT PLEASE YOUR EXCELLENCY,

The Commons of Canada have voted the Supplies required to enable the Government to defray the expenses of the public service.

"In the name of the Commons, I present to Your Excellency a Bill, intituled:

"'An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1879, and the 30th June 1880, and for other purposes relating to the Public Service,' to which I humbly request Your Excellency's assent."

To this Bill the Clerk of this House, by His Excellency's command, did thereupon say:—

"In Her Majesty's name, His Excellency the Governor-General, thanks Her loyal subjects, accepts their benevolence, and assents to this Bill."

His Excellency the Governor-General, was then pleased to deliver the following Speech:—

Hon. Gentlemen of the Senate:

Gentlemen of the House of Commons:

I desire to thank you for the dilligence and care with which you have discharged your duties during this laborious and protracted session.

The reorganization of the important Department of Public Works and the division of its duties will, I doubt not, greatly add to the efficiency of the public service.

The consolidation and amendment of the Statutes relating to the lands of the Dominion will present to the large number of settlers now wending their way to the North-West Territories a compendious and well considered system.

I hope that the Bill relating to Weights and Measures while it relaxes the stringency of previous legislation, will not decrease the efficiency of that important measure.

The provision made for telegraphy by cable between the mainland, Anticosti, and the Magdalen Islands, will facilitate and aid our commerce and navigation, and especially the development of our fisheries.

The measures adopted for the vigorous prosecution of the Canadian Pacific Railway hold out a prospect of the early completion of that great undertaking; and the proposed purchase from the Grand Trunk Railway Co., of the line from Riviere du Loup to Quebec, when concluded, will at last complete the engagement entered into at the time of Confederation to connect by an Intercolonial Railway the St. Lawrence with the Atlantic Ocean at Halifax.

I congratulate you on the other measures affecting the public interests which have been passed.

Gentlemen of the House of Commons,

In Her Majesty's name I thank you for the Supplies you have so readily granted. They will be expended with all due regard to economy.

Honorable Gentlemen of the Senate and

Gentlemen of the House of Commons,

The readjustment of the Tariff which has been effected by the legislation of this Session will, I trust, by increasing the Revenue, restore the equilibrium between Revenue and Expenditure while it will at the same time aid in the development of our various industries and tend to remove the long continued financial and commercial depression which has so greatly retarded the progress of Canada.

I bid you now farewell and desire to express my earnest hope, that when Parliament again assembles, we shall find the country enjoying the state of peace which now happily exists within its borders together with a great addition to the national prosperity.

Then the Honorable the Speaker of the Senate said:—

Honorable Gentlemen of the Senate:

Gentlemen of the House of Commons:

It is His Excellency the Governor-General's will and pleasure that this Parliament be prorogued until Tuesday the twenty-fourth day of June next, to be here holden, and this Parliament is accordingly prorogued until Tuesday, the twenty-fourth day of June next.

THE LIBRARY
OF THE
UNIVERSITY OF ILLINOIS

INDEX.

ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH

Taken into consideration, 4
Debate adjourned, 25
Debate resumed, 25
Resolution adopted, 35

ADJOURNMENT, A PROPOSED

Motion, 38, 39, 41, 42, 97, 111, 260.

AGRICULTURE, PROTECTION TO

Motion, 42

Aikins, Hon. Mr.

Distribution of Sessional Papers, 38
Pleuro-Pneumonia, 43, 88
Small-pox in Canada, 47
Petitions for Private Bills, 49, 50
Ice Jam at Croils Island, 56
Penitentiary Act Amendment Bill, 55, 79, 86
Ottawa Loan Company's Bill, 82, 89, 186
Census Bill, 106, 109
Pembina Branch Railway, 121
Georgian Bay Branch Railroad, 145
Campbell Divorce case, 146
International Trade, 194
Dominion Day Bill, 253
Temperance Act Amendment Bill, 261, 436
Post Office Act Amendment Bill, 271, 308, 322, 323
Contagious Diseases of Animals Bill, 322, 341, 380, 386, 421, 431
Bills of Exchange and Promissory notes Bill, 339. 366, 396
Intercolonial Railway Act Amendment Bill, 408, 422, 452, 456, 459, 460
Election Act Amendment Bill, 408, 428, 436
Trade Marks and Designs Bill, 432, 450, 460, 500
Marine Telegraphs Bill, 438, 439
Pictou Harbor Bill, 454, 471, 500
North Sydney Harbor Bill, 454, 471, 500
Railway Laws Consolidation Bill, 500, 537, 539, 604, 606, 651
Seamen's Act Amendment Bill, 500
Petroleum Inspection Bill, 518, 542, 653, 671
Masters and Mates Certificates Bill, 518, 544, 547
Militia and Defence Laws Amendment Bill, 583, 607
Weights and Measures Bill, 583, 610, 612, 613
The Debates Committee, 586, 677, 680.
Pacific Railway Bill, 655, 658, 663
The Supply Bill, 681, 693, 695

Alexander, Hon. Mr.

The Address, 33
A proposed adjournment, 39
Pleuro-Pneumonia, 43
Removal of Steel Rails (British Columbia), 54
Debates of the Senate, 56, 389, 390, 394, 503, 506, 549, 551, 553, 680.
Georgian Bay Branch Railroad, 60
Parliamentary Printing, 78, 397
Census Bill, 93, 147
London and Canadian Loan Company's Bill, 104
Immigration and Colonization, 121, 123, 148, 158
Banking Laws Amendment Bill, 126
Public Expenditure of the Dominion, 178, 244
Ontario and Pacific Junction Railway Bill, 199, 220, 271
Mail service to South America, 246
Ontario Building Society's Bill, 266
Dismissal of Lieutenant-Governor Letellier, 268
The Pacific Railway, 339, 356
Canada Temperance Act Amendment Bill, 436, 451, 452
Canada and Atlantic Railway Bill, 441, 444, 477
Navigation of Hudson's Bay, 459
British Columbia Judges Bill, 468
Detroit Bridge Company's Bill, 503
Railway Laws Consolidation Bill, 538, 604, 607
The Tariff, 576
Pacific Railway Resolutions, 633
Riviere du Loup Branch Purchase Bill, 673

Allan, Hon. Mr.

The Address, 32
Petition for Private Bills, 81, 125
Campbell Divorce Case, 83, 163, 165, 230
Ontario Building Society's Bill, 88, 261 264
Immigration and Colonization, 137
Public Expenditure ot the Dominion, 214
Mercer Reformatory Bill, 387
Sovereign Fire Insurance Company's Bill, 401
Detroit River Tunnel Bill, 408, 450
Library of Parliament, 454

Almon, Hon. Mr.

Introduced, 277
Campbell Divorce Case, 373
Ordnance Lands Bill, 387
Intercolonial Railway Act Amendment Bill, 425, 452, 460
Anticosti and Magdalen Islands Telegraph Bill, 546
County Court Judges, 585, 587
Supreme Court Judges (Nova Scotia and New Brunswick) Bill, 598

Anticosti and Magdalen Islands Telegraph Bill

1st 518, 2nd 543, 3rd 546

Appleton Henry, Dismissal of Inquiry 676.

Archibald, Hon. Mr.

Masters and Mates Certificates Bill, 545, 547

Armand, Hon. Mr.

The Address. 15
Quebec Fire Insurance Company, 97

Atlantic and North-West Railway Bill

1st, 268; 2nd, 276; concurrence in amendments 388; 3rd, 394

Baillargeon, Hon. Mr.

Small Pox in Canada, 49
Canada and Atlantic Railway Bill, 446

Bank Holidays Bill

1st, 506; 2nd, Moved, 540; defeated, 542

Banking Laws Amendment Bill

1st, 111; 2nd, 125; In Committee, 196; 3rd, 200
Concurrence in Commons Amendments, 542

Bellerose, Hon. Mr.

The Address, 23, 25
Debates Committee report, 57
Georgian Bay Branch, 63
Campbell Divorce Case, 84, 281
Proposed adjournment, 97
Gazette Company's Bill, 199
Dominion Day Bill, 207
Private Legislation, Supervision of 251, 309, 340, 415
Quebec Building Society's Bill, 277, 322, 440, 450
Isolated Risk Insurance Company's Bill, 344, 352, 354, 355, 356, 399, 406, 407
Duties of the Law Clerk, 356
Ordnance Lands Bill, 398
Canada and Atlantic Railway Bill, 443
Insolvency Law Repeal Bill, 459, 506
Detroit Bridge Company's Bill, 500
Iberville Building Society's Bill, 583, 586, 610
Supreme Court Judges (Nova Scotia and New Brunswick) Bill, 599
Pacific Railway resolutions, 638

Benson, Hon. Mr.

London and Canadian Loan Company's Bill, 89, 103, 147
Welland Railway Bill, 161, 197, 252

Better Prevention of Crime Bill

1st, 583; 2nd, 610; 3rd, 641

Bills Assented to, 695

Bills of Exchange and Promissory Notes Bill

1st, 339; 2nd, 366; In Committee 396; 3rd, 408

Botsford, Hon. Mr.

The Royal Instructions, 37
The Standing Committees, 38
Campbell Divorce Case, 115
Banking Laws Amendment Bill, 126
Masters and Mates Certificates Bill, 547, 548
The Senate Debates 554, 677

Supreme Court Judges (New Brunswick and Nova Scotia) Bill, 591, 598
The Pacific Railway, 646
Official Arbitrators Bill, 653

British Columbia Judges Bill
1st, 454; 2nd, Moved, 460; Bill defeated, 471

British Columbia Penitentiary
Motion, 50

British Columbia Telegraph, The
Inquiry, 231

Brouse, Hon. Dr., Introduction of, 1

Brouse, Hon. Dr.
Small Pox in Canada, 48
Ice Jam at Croil's Island, 55
Census Bill, 95
Public Expenditure of the Dominion, 215
Campbell Divorce Case, 306
Contagious Diseases, Animals, Bill, 384

Brown, Hon. Mr.
British Columbia Judges Bill, 471
The Senate Debates, 505, 550, 553, 560
Insolvency Laws Repeal Bill, 535
The Tariff, 565, 579

Building Societies in Ontario Bill
1st, 88; 2nd, 103; 3rd, 261

Building Societies in Quebec Bill
1st, 277; 2nd, 322

Bull, Hon. Mr.
Introduced, 81
Parliamentary Printing, The, 89
Census Bill, 106
Campbell Divorce Case, 284

Bureau, Hon. Mr.
The Address, 35
Proposed adjournment, 38
Small Pox in Canada, 49
Campbell Divorce Case, 85
Canadian Built Ships in France, 86, 123
Census Bill, 112
International Trade, 186, 194
Isolated Risk Company's Bill, 350, 400, 401
Licensed Engineers of Montreal, 388, 398
Confederation Life Insurance Bill, 412
Canada Temperance Act Amendment Bill, 436
Impeachment of Judge Polette, 472
Railway Laws Consolidation Bill, 606

Campbell Divorce Case
Petition, 82, 89, 114, 145, 163, 195, 207, 220
An Explanation, 161
Motions, 199, 250, 278, 305, 308.
1st, 230; 2nd, 305; reported from Committee, 340; concurred in, 367; amended, 373; 3rd, 380; Protest, 432

Campbell, Hon. Mr.
The Address, 21, 23, 24
Use of the Senate Chamber. 25
Death of the Princess Alice, 36, 41
The Royal Instructions, 37
The Standing Committees, 38, 40
A Proposed Adjournment, 39
Intercolonial Railway Workshops, 53
Georgian Bay Branch R. R., 61
Pleuro-Pneumonia, 65, 80
The Fisheries Award, 76, 87, 88
Montreal Harbor Commissioners, 77
Campbell Divorce Case, 82, 84, 114, 146, 200, 280, 289, 369, 433
Dominion Police Bill, 58, 86, 88
Canadain Built Ships in France, 86, 123
Census Bill, 56, 87, 90, 97, 107, 110, 111, 113, 114, 129, 147
Mounted Police Bill, 86, 89, 98, 100, 101, 103
London & Canadian Loan Company's Bill, 104
Banking Laws Amendment Bill, 111, 125, 128, 196, 197, 200, 542
Dominion Day Bill, 123, 201
Dominion Lands (Manitoba) Bill, 123, 162, 200
Extra Clerks and Messengers, 124
Immigration & Colonization, 155
Canadian Pacific Railway, 161
Halifax Mail Service, 169, 170
Manitoba Penitentiary, 170
The Public Service, 195
Kingston & Pembroke Railway Bill, 198
Gazette Company's Bill, 198
Route of the Pacific Railway, 219, 247, 260
Dismissal of the Lieutenant-Governor of Quebec, 229, 252

Conflicting Claims to Lands in Manitoba, 231
The British Columbia Telegraph, 232
Public Expenditure of the Dominion, 245, 257
Mail Service to South America, 246
Postmasters and Mail Contracts, 249
Supervision of Private Legislation, 251, 340, 415
Napanee, Tamworth & Quebec Railway Bill, 253
The Easter Holidays, 260
A Question of Privilege, 268
Sovereign Fire Insurance Company's Bill, 270, 400, 406, 407
Winter Communication with P. E. I., 275
The Mercer Reformatory for Females Bill, 322, 341, 387
Receiver-General's and Public Works Offices Bill, 322, 342, 387
Post Office Act Amendment Bill, 322
The Fort Frances Lock, 323
The Pacific Railway, 337, 338, 365, 388
Ordnance and Admiralty Land Bill, 340, 387, 397
Public Lands Laws Consolidation Bill, 340, 395, 409, 421
Duties of the Law Clerk, 356
Detroit River Tunnel Company's Bill, 372
The Licensed Engineers of Montreal, 388, 398
The Senate Debates, 389, 392, 504, 560, 585
Tonnage Dues in Canadian Ports, 394, 416
Summary Convictions Act Amendment Bill, 394, 416, 430
Truro & Pictou Railway Transfer Act Amendment Bill, 394, 417, 418, 430, 435
Confederation Life Association Bill, 412
The Tariff, 435
Quebec Building Societies' Bill, 440
Canada & Atlantic Railway Bill, 443
Red River Bridge, 449
Impeachment of Judge Polette, 350 472
British Columbia Judges' Bill, 454, 460, 469
Seamen's Act Amendment Bill, 454, 471
Pilotage Act Amendment Bill, 454, 471, 501
Montreal Harbor Commissioners Bill, 454, 471, 501
Pacific Railway Act Amendment Bill, 454, 471, 501
Navigation of Hudson's Bay, 459
The Printed Statutes of Canada, 474
Canada & Atlantic Railway Bill, 490, 492
Detroit Bridge Company's Bill, 500
Indian Act Amendment Bill, 506, 539
Maritime Jurisdiction Bill, 506, 542
Anticosti and Magdalen Islands Telegraph Bill, 518, 543, 546
Manitoba Additional Grant Bill. 518, 545, 548
Supreme Court Act Amendment Bill, 518, 546, 588
Consolidated Bank Bill, 518, 546, 583, 594
The Tariff Bill, 537, 560, 569
Prince Edward Island Judges' Bill, 537, 584, 585, 586
Bank Holidays Bill, 541
Supreme Court Judges (New Brunswick) Bill, 542, 588, 600, 603, 604, 610
Masters and Mates Certificates Bill, 548
Lunatics in the North-West Bill, 583, 610
Better Prevention of Crime Bill, 583, 610
Morning Sittings, 585, 631
Railway Laws Consolidation Bill, 606, 607, 658
Petroleum Inspection Bill, 609
Pacific Railway Resolutions, 631, 654
" " Inquiry, 645
Riviere du Loup Branch purchase Bill, 671
Cape Beale Lighthouse, 675
Dismissal of Henry Appleton, 676

CANADA & ATLANTIC RAILWAY BILL

1st, 432; 2nd, 441; reported from Committee, 455; 3rd, 476

CANADA LIFE ASSURANCE COMPANY'S BILL

1st, 253; 2nd, 270; 3ad, 323

CANADA TEMPERANCE ACT AMENDMENT BILL

1st, 408; 2nd, 421; in Committee, 435; 3rd, 451

CANADA TEMPERANCE ACT AMENDMENT BILL

1st, 219; 2nd, 261; In Committee, 270; 3rd, 271

CANADIAN BUILT SHIPS IN FRANCE
Motion, 86, 123

CANADIAN PACIFIC RAILWAY
Motion for a Committee, 161, 259

CANADIAN PACIFIC RAILWAY ACT AMENDMENT BILL
1st, 644; 2nd, 654; 3rd, 658

CAPE BEALE LIGHTHOUSE
Inquiry, 675

Carrall, Hon. Dr.
The Address, 14
Pleuro-Pneumonia, 43
British Columbia Penitentiary, 50
Debates Committee, 56
Campbell Divorce Case, 84, 281,-286, 374, 375, 378
Census Bill, 87
Dominion Day Bill, 123, 201, 203, 207, 220
Immigration and Colonization, 139
The British Columbia Telegraph, 231
The Pacific Railway, 388
The Senate Debates, 392
Canada and Atlantic Railway Bill, 444, 481
British Columbia Judges Bill, 468

CENSUS BILL
1st, 56; 2nd, 87, 90; in Committee, 105, 111; amendments concurred in, 129; 3rd, 147

Chapais, Hon. Mr.
The Address, 25
Dismissal of the Lieutenant-Governor of Quebec, 252

Christie, Hon. Mr.
Pleuro-Pneumonia, 42, 65, 80, 81, 88
Campbell Divorce Case, 84, 89, 281, 305, 376
Census Bill, 94, 105, 110
North American Fire Insurance Company's Bill, 267, 271
Supervision of Private Bill Legislation, 340
Contagious Diseases (Animals) Bill, 341, 384
Detroit Tunnel Company's Petition, 372
Petroleum Inspection Bill, 609
The Pacific Railway, 645
Official Arbitrators Bill, 653
Riviere du Loup Branch Purchase Bill, 672
The Senate Debates, 677

CONFEDERATION LIFE ASSOCIATION'S BILL,
1st, 253; 2nd, 270; 3rd, 409

CONFLICTING CLAIMS TO LANDS IN MANITOBA
Motion, 231

CONSOLIDATED BANK BILL
Petition Received 518; 1st, 546, 583; 2nd, 584; 3rd, 594

CONSOLIDATED BANK BILL
1st, 253; 2nd, 267; 3rd, 271

CONTAGIOUS DISEASES OF ANIMALS BILL
1st, 322; 2nd, 341, 380; Reported from Committee, 421; 3rd, 421

Cornwall, Hon. Mr.
The Address, 4
British Columbia Penitentiary, 50
Removing Steel Rails (British Columbia), 54
Debates of the Senate, 57, 558
Campbell Divorce Case, 119, 120, 145, 146, 163, 284, 301, 302, 305, 306, 376
Immigration & Colonization, 130, 148
Dominion Day Bill, 202
Contagious Diseases (Animals) Bill, 341 385
British Columbia Judges Bill, 461

COTEAU BRIDGE COMPANY'S BILL
1st, 432; 2nd, 441; reported from Committee, 455; 3rd, 476

COUNTY JUDGES (PRINCE EDWARD ISLAND) BILL
1st, 537; 2nd, 584; 3rd, 586

CRIME, BETTER PREVENTION OF, BILL
1st, 583; 2nd, 610; 3rd, 641

CROIL'S ISLAND, ICE JAM AT
Inquiry, 55

CUSTOMS & EXCISE BILL
1st, 537; 2nd, 560; 614, 3rd, 630, 641, 667

DEATH OF PRINCESS ALICE
Address of Condolence, 36, 41

DeBoucherville. Hon. Mr.
Introduction of, 1
The Address, 10
Banking Laws Amendment Bill, 197
Atlantic and North-West Railway Bill, 268, 276, 388, 394
A Question of Privilege, 268
Petroleum Inspection Bill, 609

DEPUTY GOVERNOR, The, 1

DETROIT BRIDGE COMPANY'S BILL
1st and 2nd, 500; 3rd, 502

DETROIT RIVER TUNNEL COMPANY'S BILL
Petition presented, 371
Petition received, 408
Petition read, 421
1st, 450; 2nd, 472; 3rd, 503

Dever, Hon. Mr.
Dominion Day Bill, 204, 205
Public Expenditure, of the Dominion, 223
Petroleum Inspection Bill, 543
Masters and Mates Certificates Bill, 545
County Court Judges (P.E.I.) Bill, 587
Supreme Court Judges (N. S. and N. B.) Bill, 593
Railway Laws Consolidation Bill, 607
Weights and Measures Bill, 611, 613, 614, 653
The Tariff, 667
The Senate Debates, 679

Dickey, Hon. Mr.
A proposed adjournment, 39, 41
Debates of the Senate, 57, 390, 393, 550, 556, 560
Campbell Divorce Case, 83, 118, 145, 161, 164, 166, 200, 251, 278, 280, 287, 291, 304, 306, 340, 367, 368, 370, 376, 378, 432
Census Bill, 87, 91, 106, 108, 110
Ontario Building Society's Bill, 103
London and Canadian Loan Company's Bill, 103
Halifax Mail Service, 168
Public Expenditure of the Dominion, 179, 237, 245
Banking Laws Amendment Bill, 196
Welland Railway Company's Bill, 197, 230
Kingston and Pembroke Railway Bill, 197, 231, 253
Gazette Company's Bill, 198, 199
Postmasters and Mail Contracts, 249
Isolated Risk Insurance Company's Bill, 270, 347, 399, 402, 406
Winter Communication with Prince Edward Island, 274
Atlantic and North-West Railway Company's Bill, 277, 395
Post Office Act Amendment Bill, 308, 322
Supervision of Private Legislation, 340
Contagious Disease (Animals) Bill, 341, 381
Receiver General's and Public Works Offices Bill, 342
The Pacific Railway, 360
Detroit River Tunnel Company's Petition, 371, 503
Q. M. O. and O. R. R. Bill, 372
Public Lands Bill, 396
Confederation Life Insurance Bill, 413
Intercolonial Railway Act Amendment Bill, 425, 427, 453
Personal Explanation, 431, 432
Canada Temperance Act Amendment Bill, 452
Canada and Atlantic Railway Bill 455, 486, 488, 492
British Columbia Judges Bill, 467
The Printed Statutes of Canada, 473, 476
Protest of Inland Bills in Nova Scotia, 500, 537
Montreal Harbor Commissioners Bill, 501
Detroit Bridge Company's Bill, 502
South-Western Colonization Railroad Company's Bill, 503
Insolvency Laws Repeal Bill, 507, 532
Railway Laws Consolidation Bill, 538, 604, 607, 651
Indian Act Amendment Bill, 539
Anticosti and Magdalen Islands Telegraph Bill, 544
Manitoba Additional Grant Bill, 545
The Tariff, 578
Official Arbitrators Bill, 583, 631
Supreme Court Judges (Nova Scotia and New Brunswick) Bill, 591, 593
Weights and Measures Bill, 614
Riviere dn Loup Branch Railway Purchase Bill, 674

Dickson, Hon. Mr.
Petition of Mrs. Skinner, 66
Penitentiary Act Amendment Bill, 82

Truro and Pictou Branch Bill, 436
Election Law Amendment Bill, 436
Trade Marks and Designs Bill, 460
Pilotage Act Amendment Bill, 501
Pacific Railway Act Amendment Bill 501
Consolidated Bank Bill, 584
Railway Laws Consolidation Bill, 607
Moira River Timber Tolls Bill, 653

DISMISSAL OF HENRY APPLETON
Inquiry, 676

DISMISSAL OF THE LIEUTENANT-GOVERNOR OF QUEBEC
Government Announcement, 229
Inquiry. 252
Motion, 268

DISTRIBUTION OF SESSIONAL PAPERS, 37

DIVISIONS.
Dominion Day Bill—Second reading
Motion in Amendment—Mr. Haythorne—rejected
Contents, 25 ; Non-Contents, 36—207

The Campbell Divorce Case—
Motion to pay a witness for his necessary travelling expenses—Mr. Reesor—rejected
Contents, 29 ; Non.Contents, 29—282

The Campbell Divorce Bill—
Motion to refer the Bill to the Supreme Court—Mr. Cornwall—rejected
Contents, 22 ; Non-Contents, 30—301

The Sovereign Fire Insurance Company's Bill—
Motion to amend—Mr. Bellerose—rejected
Contents, 24 ; Non-Contents, 29—355

The Campbell Divorce Bill—
Motion to concur in the report of the Select Committee—Mr. Dickey—adopted
Contents, 29 ; Non-Contents, 17—369

The Campbell Divorce Bill—Third reading—Mr. Reesor—agreed to
Contents, 34 ; Non-Contents, 26—379

Marine Electric Telegraphs Bill—
Motion that the Bill do pass—Mr. Macdonald—rejected
Contents, 30 ; Non-Contents, 32—439

British Columbia Supreme Court Judges Bill—Second reading
Motion in Amendment—Mr. Cornwall—adopted
Contents, 36 ; Non-Contents, 25—471

Canada and Atlantic Railway Bill—Third reading—
Motion to amend—Mr. Alexander—rejected
Contents, 31 ; Non-Contents, 32—491
Third reading—Mr. Scott—agreed to
Contents, 33 ; Non-Contents, 27—500

Insolvency Laws Repeal Bill—Second reading
Motion in Amendment—Mr. Ryan—agreed to
Contents, 31 ; Non-Contents, 27—536

The Senates Debates—Third Report
Motion to refer back to the Committee—Mr. McDonald—agreed to
Contents, 30 ; Non-Contents, 22—559

Supreme Court Judges (Nova Scotia and New Brunswick) Bill—Second reading
Motion in Amendment—Mr. McClelan—rejected
Contents, 14 ; Non-Contents, 48—600
Motion to amend—Mr. Miller—rejected
Contents, 8 ; Non-Contents, 52—601

DOMINION DAY STATUTORY HOLIDAY BILL
1st, 123 ; 2nd, 201 : In Committee, 220 ; 3rd, 253

DOMINION LANDS IN MANITOBA BILL
1st, 123 ; 2nd, 162 ; In Committee, 198 ; 3rd, 200

DOMINION POLICE BILL
1st, 58 ; 2nd, 86 ; In Committee, 87 ; 3rd, 88

DOMINION TELEGRAPH COMPANY'S BILL
1st, 97 ; 2nd, 105 ; 3rd, 125

DUTIES OF THE LAW CLERK
Question of Privilege, 356

EASTER HOLIDAYS, The
Motion, 260

Election Law Amendment Bill
1st, 408 ; 2nd, 428 ; 3rd, 436

Extra Clerks and Messengers
Motion, 124

Felonies and Misdemeanors Bill
1st, 394 ; 2nd, 416 ; 3rd, 430

Ferrier, Hon. Mr.
A proposed adjournment, 39
Debates of the Senate, 57
Montreal & Champlain R.R. Bill, 161, 166, 233
International Bridge Company's Bill, 144, 162, 232
Gazette Printing Company's Bill, 167, 198, 252
Consolidated Bank Bill, 267
Campbell Divorce Case, 307
Atlantic & North West Railway Bill, 395
Canada & Atlantic Railway Bill, 447, 497
Militia and Defence Laws Amendment Bill, 609
Railway Laws Consolidation Bill 658
Riviere du Loup Branch Purchase Bill, 674

Fisheries Award, The
Proposed distribution, 66, 87, 88

Flint, Hon. Mr.
Immigration and Colonization, 150
Campbell Divorce, 166, 300
Public Expenditure of the Dominion, 228
Napanee, Tamworth & Quebec Railway, 252
Canada Temperance Act Amendment Bill, 422
Insolvency Laws Repeal Bill, 526
Bank Holiidays Bill, 540
Moira River Timber Tolls Bill, 583
Militia and Defence Laws Bill, 609
The Senate Debates, 681

Fort Frances Lock
Inquiry, 323

Gazette Printing Company's Bill
1st, 167 ; 2nd, 198 ; 3rd, 252

Georgian Bay Branch R.R.
Motion, 58
Inquiry, 144

Geographical Society of Quebec Bill
1st, 271 ; 2nd, 323 ; 3rd, 356

Girard, Hon. Mr.
Mounted Police Bill, 98, 99, 102
Census Bill, 113
Manitoba Penitentiary, 170
Dominion Day Bill, 207
Temperance Act Amendment Bill 219, 261, 270, 271, 452
Pacific Railway Route, 219, 247, 260
Conflicting Claims to Lands in Manitoba, 231
Red River Bridge, 449
Southwestern Colonization Railway Bill, 454, 471, 503
Railway Laws Consolidation Bill, 538 652
Indian Act Amendment Bill, 539
Manitoba Additional Grant Bill, 545
Militia and Defence Bill, 652
Pacific Railway Act. 654
The Supply Bill, 693

Grant, Hon. Mr.
Truro & Pictou Branch Bill, 418

Guevremont, Hon. Mr.
The Ice Pier at Sorel, 40
The Montreal Harbor Commission, 76
The Campbell Divorce Case, 433

Halifax Fisheries Award
Distribution of, 66, 87

Halifax Mail Service
Inquiry, 167

Hamilton, Hon. Mr. (Kingston)
London and Canadian Loan Company's Bill, 147
Kingston and Pembroke Railway Bill, 162, 197, 253
Ottawa Loan Company's Bill, 186
Consolidated Bank Bill, 271

Haviland, Hon. Mr.
Small-pox in Canada, 48
The Fisheries Award, 73
Campbell Divorce Case, 85, 120, 279 302, 375, 376

Census Bill, 94, 111
Gazette Company's Bill, 198
Dominion Day Bill, 202
The Senate Debates, 390
Felonies and Misdemeanors Bill, 430
Canada Temperance Act Amendment Bill, 452
British Columbia Judges Bill, 467

Haythorne, Hon. Mr.

The Address., 18
A proposed adjournmont, 39
Small-pox in Canada, 44, 47
The Fisheries Award, 74, 87, 88
Immigration and Colonization, 141
Public Expenditure of the Dominion, 226, 234
Winter communication with Prince Edward Island, 272, 276
Petroleum Inspection Bill, 543
The Senate Debates, 552, 554, 674, 676, 677, 679
County Court Judges (P. E. I.), Bill, 584, 585, 587
Pacific Railway, 663
The Supply Bill, 690

Hope, Hon. Mr.

Internationial Bridge Company's Bill, 162, 232
Ontario Building Society's Bill, 262
Canada Life Assurance Company's Bill, 270
The Pacific Railway, 361, 658
Marine Telegraphs Bill 439
Canada and Atlantic Railway Bill, 494
Detroit Bridge Company's Bill, 502
Insolvency Laws Repeal Bill, 529
The Tariff, 624
Riviere du Loup Branch Purchase Bill, 672
The Senate Debates, 679

Howlan, Hon. Mr.

Insolvency Laws Repeal Bill, 510
Supreme Court Judges (N. S. & N. B.) Bill, 590

HUDSON'S BAY, NAVIGATION OF

Motion for a return, 455

IBERVILLE BUILDING SOCIETY'S BILL

1st, 583; 2nd, 586; 3rd, 610

ICE JAM AT CROILS ISLAND

Inquiry, 55

ICE PIER AT SOREL, THE

Motion, 40

IMMIGRATION AND COLONIZATION

Motion, 121, 129, 148
Motion withdrawn, 160

INDIAN ACT AMENDMENT BILL

1st, 506; 2nd & 3rd, 539

INDIAN RESERVES IN BRITISH COLUMBIA

Motion for a return, 506

INLAND BILLS IN NOVA SCOTIA BILL

1st 500,; 2nd and 3rd, 537

INSOLVENCY LAW REPEAL BILL

1st, 459; 2nd, moved 506; 518; amendment moved, 515; Bill defeated, 536

INTERCOLONIAL RAILWAY ACT AMENDMENT BILL

1st, 408; 2nd, 422; In Committee, 452; 3rd, 459

INTERCOLONIAL RAILWAY WORKSHOPS

Inquiry, 51

INTERNATIONAL BRIDGE COMPANY'S BILL

1st, 144; 2nd, 162; 3rd, 232

INTERNATIONAL TRADE

Motion, 186

INTRODUCTIONS—

HON. DR. BROUSE, 1
HON. MR. DEBOUCHERVILLE, 1
HON. MR. BULL, 81
HON. DR. ALMON, 277

ISOLATED RISK FIRE INSURANCE COMPANY'S BILL

1st, 253; 2nd, 269; Concurrence in amendments, 344; 3rd, 356-359

JACQUES CARTIER BANK BILL

1st, 322; 2nd, 341; 3rd, 398

JUDGE POLETTE, IMPEACHMENT OF

Petition presented, 450, 472
Motion, 518

Kaulbach, Hon. Mr.

The Fisheries Award, 71
Campbell Divorce Case, 85, 115, 118, 119, 145, 161, 163, 199, 200, 280, 284, 296, 367, 369, 375, 377, 378
Census Bill, 110
Immigration & Colonization, 132
Dominion Day Bill, 204
Public Expenditure of the Dominion, 221
Postmasters and Mail Contracts, 249
The Pacific Railway, 362
Truro & Pictou Branch Bill, 419
Intercolonial Railway Act Amendment Bill, 426
Canada Temperance Act Amendment Bill, 436
Marine Telegraph Bill, 439
Navigation of Hudson's Bay, 458
British Columbia Judges Bill, 466
Canada & Atlantic Railway Bill, 479, 488, 495, 499
Detroit Bridge Company's Bill, 502
Insolvency Laws Repeal Bill, 523
Bills of Exchange (Nova Scotia) Protest Bill, 537
Bank Holidays Bill, 541
The Senate Debates, 549, 555, 679
County Court Judges, (P.E.I.) Bill, 584, 585, 587
Supreme Court Judges, (N. S. & N. B.), 597, 604
Militia & Defence Laws Bill, 608
Weights & Measures Bill, 611
Pacific Railway Resolutions, 639, 667
Riviere du Loup Branch Purchase Bill, 675

KINGSTON & PEMBROKE RAILWAY BILL

1st, 162; 2nd, 197; reported from Committee, 231; 3rd, 253

LANDS IN MANITOBA, CONFLICTING CLAIMS TO

Motion, 231

LA SOCIETE PERMANENTE DE CONSTRUCTION DU DISTRICT D'IBERVILLE

1st, 583; 2nd, 586; 3rd, 610

LAW CLERK, DUTIES OF THE

A Question of Privilege, 356

Leonard, Hon. Mr.

Ontario Building Societies' Bill, 264

Lewin, Hon. Mr.

Dominion Day Bill, 204

LIBRARY OF PARLIAMENT, THE

First report of the Committee, 454

LICENSED ENGINEERS OF MONTREAL, THE

Motion, 388, 398

LIEUTENANT-GOVERNOR OF QUEBEC, DISMISSAL OF

Government Announcement, 229
Inquiry, 252
Motion, 268

LONDON & CANADIAN LOAN COMPANY'S BILL

1st, 89; 2nd, 103. 3rd, 147

LUNATICS IN THE NORTH-WEST BILL

1st, 583; 2nd, 610; 3rd, 641

Macdonald, Hon. Mr.

The Address, 20
British Columbia Penitentiary, 50
Warden of British Columbia Penitentiary, 51
Removal of Railway Offices, Victoria, 53
Removal of Steel Rails (British Columbia) 53, 54
The Senate Debates, 389, 559, 677
Marine Telegraph Bill, 408, 428, 436
British Columbia Judges Bill, 466
Pacific Railway Resolutions, 640
Cape Beale Lighthouse 675

Macfarlane, Hon. Mr.

Dominion Telegraph Company's Bill, 105
Parliamentary Printing, 125, 397
Immigration and Colonization, 154
Postmasters and Mail Contracts 247
Winter Communication with Prince Edward Island, 275

McLelan, Hon Mr.

Immigration and Colonization, 123, 129, 135
Public Expenditure of the Dominion, 233
The Senate Debates, 505
Insolvency Laws Repeal Bill, 527
Bank Holidays Bill, 541

Masters and Mates Certificates Bill, 548
The Pacific Railway, 649
Weights and Measures Bill. 654
The Pacific Railway Bill, 657, 667
The Supply Bill, 686, 689
Riviere du Loup Branch Purchase Bill, 675

Macpherson, Hon. Mr.

Debates Committee, first report, 56
Georgian Bay Branch R. R., 59, 62, 64
Campbell Divorce Case, 85, 281
Ontario Building Societies' Bill, 103
Extra Clerks & Messengers, 124
Immigration & Colonization, 135, 141, 153
Pacific Railway Committee, 161, 162, 259
Pacific Railway Resolution, 322, 324, 360
Pacific Railway Inquiry, 644
Public Expenditure, of the Dominion, 171, 218, 238, 245, 254
Dominion Day Bill, 204
Canada Life Assurance Company's Bill, 253, 270, 323
Fort Frances Lock, 323
Receiver-General's and Public Works Offices Bill, 342
Isolated Risk Insurance Company's Bill, 355
The Senate Debates, 391, 505, 549, 551, 552, 554, 560
Confederation Life Insurance Bill, 414
Intercolonial R. R., Act Amendment Bill, 426
Marine Telegraph Bill, 429
Quebec Building Societies' Bill, 432
The Tariff, 435, 614, 571, 583
Canada & Atlantic Railway Bill, 495
Insolvency Laws Repeal Bill, 528
Bank Holidays Bill, 541
Consolidated Bank Bill, 594
Quebec Building Societies' Liquidation Bill, 594
Supreme Court Judges (N. S. & N. B.) Bill, 599, 603
Railway Laws Consolidation Bill, 604, 607
Iberville Building Society Bill, 610
Pacific Railway Bill, 655

Mail Contracts in Nova Scotia

Motion, 247

Mail Service to South America

Inquiry, 245

Manitoba Additional Grant Bill

1st, 518; 2nd, 545; 3rd, 548

Manitoba Penitentiary

Motion, 170

Maritime Jurisdiction Amendment Bill

1st, 506; 2nd and 3rd, 542

Marine Telegraphs Bill

1st, 408; 2nd, 428; 3rd, 436; Bill defeated, 439

Masters and Mates Certificates Bill

1st, 518; 2nd, 544; 3rd, 547

McClelan, Hon. Mr.

Public Lands Bill, 409
Canada Temperance Act Amendment Bill, 436, 452
Bank Holidays Bill, 540
Masters and Mates Certificates Bill, 545, 547
The Senate Debates, 676
Supreme Court Judges (Nova Scotia and New Brunswick) Bill, 594, 597
The Pacific Railway, 647

McMaster, Hon. Mr.

Dominion Day Bill, 205
Isolated Risk Insurance Company's Bill, 253, 269, 344, 346, 351, 356, 399, 400, 407, 408
Confederation Life Assciation's Bill, 253, 270, 409, 414, 415
Ontario Building Societies Bill, 267

Mercer Reformatory Bill

1st, 322; 2nd, 341; 3rd, 387

Militia and Defence Laws Amendment Bill

1st, 583; 2nd, 607; 3rd, 652

Miller, Hon. Mr.

Small-pox in Canada, 46
Campbell Divorce Case, 83, 85, 114, 117, 118, 145, 147, 161, 164, 165, 200, 220, 250. 279, 284, 292, 296, 302, 305, 307, 376, 377
Census Bill, 92, 106, 109, 111, 114
Mounted Police Bill, 98, 101, 102
London and Canadian Loan Company's Bill, 104

Immigration and Colonization, 123
Extra Clerks and Messengers, 124
International Bridge Company's Bill, 163
Halifax Mail Service, 169, 170
Banking Laws Amendment Bill, 196
Kingston & Pembroke Railway Bill, 198
Gazette Company's Bill, 198
Dominion Day Bill, 203, 205
Mail Service to South America, 247
Postmasters and Mail Contracts, 248
Napanee, Tamworth & Quebec Railway 252
Easter Holidays, 261
Ontario Building Societies' Bill, 267
A Question of Privilege, 268
Post Office Act Amendment Bill, 308
Geographical Society of Quebec Bill, 323
Supervision of Private Legislation, 340 416
Contagious Diseases (Animals) Bill, 341
Detroit River Tunnel Company's Petition, 371
Ordnance Lands Bill, 387, 397
The Senate Debates, 390, 393, 678, 680
Atlantic & North West Railway Bill, 395
Public Lands Bill, 409
Confederation Life Insurance Bill, 413, 415
Felonies and Misdemeanors Bill, 417
Truro & Pictou Branch Bill, 418, 420, 430
Canada Temperance Act Amendment Bill, 422
Intercolonial Railway Act Amendment Bill, 423
Marine Telegraphs Bill, 428, 437, 439
Quebec Building Societies' Bill, 432
The Tariff, 434
Canada and Atlantic Railway Bill, 449
County Court Judges (Prince Edward Island) Bill, 586
Supreme Court Judges (New Brunswick and Nova Scotia) Bill, 589, 592, 595, 597, 599, 600, 603
Railway Laws Consolidation Bill, 604, 607
Militia and Defence Laws Amendment Bill, 609
Petroleum Inspection Bill, 609
Weights and Measures Bill, 611
The Pacific Railway, 649
Riviere du Loup Branch Purchase Bill 672, 673
The Supply Bill, 683

MOIRA RIVER TIMBER TOLLS BILL
1st, 583; 2nd, 631, 3rd, 653

Montgomery, Hon. Mr.
Police Law Amendment Bill, 88
Dominion Lands Bill, 198
Dominion Day Bill, 220
Temperance Act Amendment Bill, 270
Winter Communication with Prince Edward Island, 272, 276,
Receiver General's and Public Works Offices Bill, 387
Pictou Harbor Bill, 501
North Sydney Harbor Bill, 501
County Court Judges (Prince Edward Island) Bill, 587

MONTREAL AND CHAMPLAIN RAILWAY BILL
1st, 161: 2nd, 166; 3rd, 233

MONTREAL HARBOR COMMISSION
Inquiry, 76

MONTREAL HARBOR COMMISSIONERS' BILL,
1st, 454; 2nd, 471; 3rd, 501

MORNING SITTINGS
Motions, 585, 631

MOUNTED POLICE BILL
1st, 86; 2nd, 89; In Committee, 97; 3rd, 103

NAPANEE TAMWORTH & QUEBEC RAILWAY BILL
1st, 199; 2nd, 252; Concurrence in Amendments 271; 3rd, 276

NAVIGATION OF HUDSON'S BAY
Motion for a return, 455, 586

NEW BRUNSWICK SUPREME COURT JUDGES BILL
1st, 542; 2nd, 588; 3rd, 610

NEW SENATORS, 1, 81, 277

NORTH AMERICAN INSURANCE COMPANY'S BILL
1st, 267; 2nd, 271; 3rd, 398

NORTH SYDNEY HARBOR BILL
1st, 454; 2nd, 471; 3rd, 501

NOVA SCOTIA INLAND BILLS PROTEST BILL
1st, 500; 2nd and 3rd, 537

Odell, Hon. Mr.
Promissory Notes Bill, 408
Supreme Court Judges (N. S. & N. B.) Bill, 594

OFFICIAL ARBITRATORS BILL
1st, 583; 2nd, 631; 3rd. 653

ONTARIO BUILDING SOCIETIES BILL
1st, 88; 2nd, 103; 3rd, 261

ONTARIO & PACIFIC JUNCTION RAILWAY BILL
1st, 199; 2nd, 220; 3rd, 271

ORDNANCE & ADMIRALTY LANDS BILL
1st, 340; 2nd, 387; 3rd, 397

OTTAWA LOAN & INVESTMENT COMPANY'S BILL
1st, 82; 2nd, 89; reported from Committee, 186; 3rd, 233

PACIFIC RAILWAY, THE
Motion for a Committee, 161, 259
Inquiry, 219, 247, 260, 388
Resolution, 309, 324, 356
Motion for a return, 322
Resolutions, 631

PACIFIC RAILWAY ACT AMENDMENT BILL
1st, 644; 2nd, 654; 3rd, 658

PACIFIC RAILWAY ACT AMENDMENT BILL
1st, 454; 2nd, 471; 3rd, 501

Paquet, Hon. Mr.
Quebec Building Societies' Bill, 440

PARLIAMENTARY PRINTING THE
Second Report, 78
Third Report, 81
Fourth and Fifth Reports, 88
Sixth Report, 125
Seventh Report, 200
Eighth Report, 271
Tenth and Eleventh Reports, 396
Twelfth and Thirteenth Reports, 630
Fourteenth, 653

PARLIAMENT, PRIVILEGES OF, 4

Pelletier, Hon. Mr.
The Address, 32
Georgian Bay Branch Railroad, 61
Census Bill, 106
Immigration and Colonization, 140
Public Expenditure of the Dominion 186, 208, 237
Seamen's Act Amendment Bill, 501

PEMBINA BRANCH RAILWAY
Enquiry, 120

PENITENTIARY, MANITOBA
Motion, 170

PENITENTIARY ACT AMENDMENT BILL
1st, 55; 2nd, 79; In Committee, 82; 3rd, 86

Penny, Hon. Mr.
The Address, 35
A proposed adjournment, 40, 41
Georgian Bay Branch Railroad, 63
Campbell Divorce Case, 85, 117, 119, 281, 302, 307
Census Bill, 106, 109, 113
Halifax Mail Service, 169
Banking Laws Amendment Bill, 196
Gazette Company's Bill, 198
Dominion Day Bill, 203
Public Expenditure of the Dominion, 254
Q. M. O. and O. R. R. Company's Bill, 271, 323, 372
Debates of the Senate, 394, 560, 679
Canada and Atlantic Railway Bill, 442
Railway Laws Consolidation Bill, 539, 607
Petroleum Inspection Bill, 543
The Tariff, 563
Supreme Court Judges (Nova Scotia and New Brunswick) Bill, 590
Weights and Measures Bill, 613
The Pacific Railway, 644

PERSONAL EXPLANATION, A
Contagious Diseases Bill, (Mr. Dickey.) 431

PETROLEUM INSPECTION ACT AMENDMENT BILL
1st, 653; 2nd & 3rd, 671

PETROLEUM INSPECTION BILL
1st, 518; 2nd, 542: 3rd, 543
A clerical error, 609

PICTOU HARBOR BILL
1st, 454; 2nd, 471; 3rd, 501

PILOTAGE ACT AMENDMENT BILL
1st, 454; 2nd, 471, 3rd, 501

PLEURO-PNEUMONIA
Motion for Correspondence, 42
A Suggestion, 65, 80
Inquiry, 88

POLETTE JUDGE, IMPEACHMENT OF
Petition, 450, 472
Motion, 518

POLICE LAW AMENDMENT BILL
1st, 58; 2nd, 86; In Committee, 87; 3rd, 88

POSTMASTERS AND MAIL CONTRACTS
Motion, 247

POST OFFICE ACT AMENDMENT BILL
1st, 271; 2nd, 308; in Committee, 322; 3rd, 323

POST OFFICE DEPARTMENT, THE
Motion, 218

Power, Hon. Mr.
Intercolonial Railway and Workshops, 51
The Fisheries Award, 66
Campbell Divorce Case, 115, 120, 145, 164, 299, 368, 374
Census Bill, 147
Halifax Mail Service, 167
The Public Service, 195
Dominion Day Bill, 205
The Pacific Railway, 313, 322
Supervision of Private Legislation, 340
Isolated Risk Insurance Company's Bill, 354, 407
Detroit River Tunnel Company's Petition, 372
Contagious Diseases (Animals) Bill, 386, 421
Debates of the Senate, 394, 553, 678, 681
Truro and Pictou Branch Bill, 420, 430
Intercolonial Railway Act Amendment Bill, 423, 427, 453, 454, 460
The Printed Statutes of Canada, 472, 476
Canada and Atlantic Railway Bill, 488
Detroit Bridge Company's Bill, 502
Petroleum Inspection Bill, 542, 543, 609
Anticosti and Magdalen Islands Telegraph Bill, 544
Masters and Mates Certificates Bill, 544, 547, 548
County Court Judges, (P. E. I.) Bill, 584, 585, 586, 588
Supreme Court Act Amendment Bill, 588
Supreme Court Judges (N. S. & N. B.) Bill, 597, 603, 604
Pacific Railway Resolutions, 633, 639, 660
Official Arbitrators Bill, 653
Pacific Railway Bill, 656
Dismissal of Henry Appleton, 676

PRINCE EDWARD ISLAND JUDGES BILL
1st, 537; 2nd, 584; 3rd, 586

PRINCE EDWARD ISLAND WINTER COMMUNICATION WITH
Motion, 272

PRINCESS ALICE, DEATH OF THE
Address of Condolence, 36, 41

PRINTED STATUTES OF CANADA, THE
Inquiry, 472

PRIVATE BILLS, TIME FOR RECEIVING EXTENDED
Motion, 49, 50, 81
Petitions for, 125

PRIVATE LEGISLATION, SUPERVISION OF
Motion, 251
Report of Committee, 309, 415

PRIVILEGE, A QUESTION OF
Seconding Motions, 268

PRIVILEGES OF PARLIAMENT 4

PROMISSORY NOTES LAW AMENDMENT BILL
1st, 339; 2nd, 366; in Committee, 396; 3rd, 408

PROPOSED ADJOURNMENT, A
Motion, 39, 41, 42

PROROGATION, THE, 698

PROTECTION TO AGRICULTURE
Motion, 42

PROTEST OF INLAND BILLS (NOVA SCOTIA) BILL
1st, 500; 2nd & 3rd, 537

PUBLIC EXPENDITURE OF THE DOMINION
Enquiry, 171, 208, 221,233, 253

PUBLIC LANDS LAWS CONSOLIDATION BILL
1st, 340; 2nd, 395; in Committee, 409; 3rd, 421

PUBLIC SERVICE OF CANADA, THE
Motion, 195

QUEBEC BUILDING SOCIETIES' BILL,
1st, 277; 2nd, 322; Reported from Committee, 432; Concurrence in Amendments, 440; 3rd, 450

QUEBEC BUILDING SOCIETIES LIQUIDATION BILL,
1st, 388; 2nd, 408; Bill dropped, 594

QUEBEC FIRE INSURANCE COMPANY'S BILL,
1st, 37; 2nd, 97; 3rd, 125

QUEBEC, MONTREAL, OTTAWA & OCCIDENTAL R.R. COMPANY'S BILL,
1st, 271; 2nd, 323; 3rd, 372

RAILWAYS, ACT RELATING TO
1st, 3

RAILWAY LAWS CONSOLIDATION BILL
1st, 500; 2nd, 537; in Committee, 604, 651; 3rd, 658

RAILWAY OFFICES, VICTORIA, REMOVAL OF
Motion, 53

Read, Hon. Mr.
Georgian Bay Branch R. R., 58, 65, 144
Immigration and Colonization, 144, 148
International Bridge Company's Bill, 144
Public Expenditure of the Dominion, 210, 244
The Pacific Railway, 309, 366, 666
Contagious Diseases (Animals) Bill, 383
The Senate Debates, 505, 557
Insolvency Laws Repeal Bill, 528
Railways Laws Consolidation Bill, 537, 605
Bank Holidays Bill, 540
Militia and Defence Laws Bill, 603

RECEIVER GENERAL'S AND PUBLIC WORKS OFFICES BILL
1st, 322; 2nd, 342; 3rd, 387

RED RIVER BRIDGE, The
Inquiry—Withdrawn, 449

Reesor, Hon. Mr.
Protection to Agriculture, 42
Campbell Divorce Case, 82, 85, 114, 118, 120, 145, 146, 163, 164, 166, 195, 196, 207, 220, 230, 250, 278, 282, 298, 302, 305, 308, 370, 273, 375, 380
Canada and Atlantic Railway Bill, 482
Petroleum Inspection Bill, 543
Pacific Railway, 661, 667
Riviere du Loup Branch Purchase Bill, 674, 675
The Senate Debates, 680

REMOVAL OF STEEL RAILS, BRITISH COLUMBIA
Motion 53

RIVIERE DU LOUP BRANCH RAILWAY PURCHASE BILL
1st, 671

ROYAL INSTRUCTIONS, The
Motion for a return, 37

Ryan, Hon. Mr.
Distribution of Sessional Papers, 37
Parliamentary Printing, 78
Census Bill, 87, 95
Banking Laws Amendment Bill, 127, 196, 197, 542
Immigration and Colonization, 151, 154, 155, 160
Mail Service to South America, 245
Consolidated Bank Bill, 271
Geographical Society's Bill, 271, 323, 356
Campbell Divorce Case, 306
Isolated Risk Company's Bill, 349, 351
Confederation Life Association Bill, 410
Navigation of Hudson's Bay, 455, 459, 586

Insolvency Laws Repeal Bill, 513
The Senate Debates, 557
Weights and Measures Bill, 614

Scott, Hon. Mr.

The Address, 11
Death of the Princess Alice, 36
Penitentiary Act Amendment Bill, 79
The Fisheries Award, 87
Mounted Police Bill, 90, 98, 100
Extra Clerks and Messengers, 124
Banking Laws Amendment Bill, 126
Halifax Mail Service, 168
Public Expenditure of the Dominion, 181, 218
Dominion Day Bill, 206
Post Office Department, 218
Winter Communication with Prince Edward Island, 276
Campbell Divorce Case, 307
North American Insurance Company, 267, 398
Sovereign Fire Insurance Company's Bill, 401, 403, 406
Canada Temperance Act Amendment Bill, 408, 421, 435, 436, 451
Public Lands Bill, 409
Confederation Life Insurance Bill, 411
Private Bill Legislation, 415, 416
Felonies and Misdemeanors Bill, 417
Intercolonial Railway Act Amendment Bill, 425
Marine Telegraphs Bill, 429, 437
Canada and Atlantic Railway Bill, 432 441, 476
The Tariff, 433, 641
Impeachment of Judge Polette, 450
Trade Marks and Design's Bill, 450
British Columbia Judges Bill, 465, 468
Statutes of Canada, 475
Railway Laws Consolidation Bill, 607
The Pacific Railway, 644, 654, 657, 667
The Supply Bill, 681, 686, 688, 694
Riviere du Loup Branch Purchase Bill 673

SEAMEN'S ACT AMENDMENT BILL

1st, 454; 2nd, 471; 3rd, 500

SENATE DEBATES, THE

First report of Committee, 56
A Question of Privilege, 389
Motion to appoint a Committee, 503, 585
Third Report, 549
Fourth Report, 676
Fifth Report, 679

SESSIONAL PAPERS, Distribution of, 37

Seymour, Hon. Mr.

Napanee, Tamworth and Quebec Railway Bill, 199
Senate Chamber, Use of the, 25
Senators, New, 1

Simpson, Hon. Mr.

Parliamentary Printing, 78, 79, 81, 88, 200, 271, 396, 630, 653
Insolvency Laws Repeal Bill, 527
The Senate Debates, 677

SKINNER, Mary Anne

Petition of, 66

SMALL-POX IN CANADA

Inquiry, 44

Smith, Hon. Mr.

A proposed adjournment, 41, 42, 111
The Pacific Railway, 364
The Campbell Divorce Case, 377
Toronto Savings Bank Transfer Bill 394, 417, 449
Bank Holidays Bill, 506, 540, 542
Insolvency Laws Repeal Bill, 516, 526
The Senate Debates, 558
Weights and Measures Bill, 611, 614
The Pacific Railway, 650

SOUTH AMEBICA, MAIL SERVICE TO

Inquiry, 245

SOUTH-WESTERN COLONIZATION RAILWAY BILL

1st. 454; 2nd, 471; 3rd, 503

SOVEREIGN FIRE INSURANCE COMPANY'S BILL

1st, 253; 2nd, 269; Concurrence in Amendments, 344; 3rd, 356, 399

SPEAKER, THE

Appointment of the, 1
Announcement of the Opening of Parliament, 1, 2
Campbell Divorce Case, 82, 120, 302, 305, 376, 377, 378
Halifax Mail Service, 170
Banking Laws Amendment Bill, 196
Detroit River Tunnel Company's Petition, 371
Debates of the Senate, 390, 560
Marine Telegraphs Bill, 439

Canada and Atlantic Railway Bill, 499
The Riviere du Loup Branch Purchase Bill, 674
Prorogation 698

Speech from the Throne, The, 2, 4, 698

Standing Committees, The
A New Committee formed, 38
The Committees struck, 40

Statutes of Canada, The
Inquiry, 472

Steel Rails, Removal of (British Columbia)
Motion, 53

Summary Convictions Act Amendment Bill
1st, 394; 2nd, 416

Supervision of Private Legislation
Motion for a Committee, 251
Report of Committee, 309, 415

Supply Bill, The
1st, 681; 2nd and 3rd 695
Assented to, 698

Supreme Court Act Amendmemt Bill
1st, 518; 2nd, 546; 3rd, 588

Supreme Court Judges, (New Brunswick) Bill
1st, 542, 2nd, 588; 3rd, 610

Sutherland, Hon. Mr.
Pembina Branch Railway, 120
Route of the Pacific Railway, 260

Sydney Harbor Bill
1st, 454; 2nd, 471; 3rd, 501

Tariff, The
Motion for a return, 433
Bill Introduced, 537
1st, 537; 2nd, 560, 614; 3rd, 630, 641, 667

Temperance Act Amendment Bill
1st, 219; 2nd, 261; in Committee 270, 3rd, 271

Thibaudeau, Hon. Mr.
Insolvency Laws Repeal Bill, 515, 522, 523

Tonnage Dues in Canadian Ports Bill
1st, 394; 2nd, 416

Toronto Savings Bank Transfer Bill
1st, 394; 2nd, 417; 3rd, 449

Trade Marks & Designs Bill
1st, 432; 2nd, 450; in Committee, 460; 3rd, 500

Trudel Hon. Mr.
The Address, 28
Georgian Bay Branch R.R., 62, 64
Campbell Divorce Case, 83, 115, 120, 294, 375, 380
Banking Laws Amendment Bill, 127
Immigration & Colonization, 143
International Trade, 195
Dominion Day Bill, 206
Jacques Cartier Bank Bill, 322, 341, 398
The Pacific Railway, 329
Receiver-General's and Public Works Offices Bill, 343
Isolated Risk Insurance Company's Bill, 353, 354, 405
Detroit River Tunnel Company's Petition, 372
Quebec Building Societies' Liquidation Bill, 388, 408, 440
Confederation Life Insurance Bill, 411
Canada & Atlantic Railway Bill, 447, 449, 489, 492, 493, 496
Impeachment of Judge Polette, 450, 472, 518
Insolvency Laws Repeal Bill, 518, 538
Anticosti & Magdalen Islands Telegraph Bill, 544
The Senate Debates, 556, 679
Railway Laws Consolidation Bill, 695, 652
Pacific Railway Resolutions, 639
The Tariff, 669
The Supply Bill, 690

Truro & Pictou Railway Bill
1st, 304; 2nd, 417; in Committe, 430; 3rd, 435

Use of the Senate Chamber
Motion, 25

Vidal, Hon. Mr.

Dominion Telegraph Company's Bill, 97, 105
Ottawa Loan Company's Bill, 186
Napanee Tamworth and Quebec Railway, 252, 271, 276
Sovereign Fire Insurance Company Bill, 351, 352, 399, 406
Detroit River Tunnel Bill, 371 421, 450, 472, 503
Campbell Divorce Case, 378
Atlantic and North-West Railway Bill, 394
Confederation Life Insurance Bill, 414
Canada Temperance Act Amendment Bill, 435, 451
Canada and Atlantic Railway Bill, 483
Detroit Bridge Company's Bill, 500, 502

WARDEN OF BRITISH COLUMBIA PENITENTIARY

Motion, 51

Wark, Hon. Mr.

The Address, 23
Census Bill, 96
Campbell Divorce Case, 376
Ordnance Land Bill, 387, 397
Sovereign Fire Insurance Company's Bill, 404
Truro and Pictou Branch Bill, 419, 430
Statutes of Canada, 474
Insolvency Laws Repeal Bill, 534
Masters and Mates Certificates Bill, 545

WEIGHTS AND MEASURES BILL

1st. 583 ; 2nd, 610 ; 3rd' 653

WELLAND RAILWAY BILL

1st, 161 ; 2nd, 197 ; Reported from Committee, 230; 3rd, 252

WINTER COMMUNICATION WITH P. E. I.

Motion, 272

www.colibrisystem.com

UNIVERSITY OF ILLINOIS-URBANA
3 0112 127114913